

Berkshire Unitary Authorities

Minerals and Waste Development Framework

Core Strategy Issues and Options Report Regulation 25

Report of Consultation Responses Received

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Minerals and Waste Development Framework
Preferred Options Issues and Options
Regulation 25 Consultations Received

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Introduction

- i. This document has been prepared on behalf of the six Unitary Authorities in Berkshire by the Berkshire Joint Strategic Planning Unit (JSPU). It follows the Core Strategy Issues and Options consultation undertaken during 2006 and is a precursor to the next stage of consultation, on the Core Strategy Preferred Options. It summarises the comments made by consultees and outlines the JSPU's proposed response that will be carried forward through the Core Strategy Preferred Options. Appendix 1 to this report presents a detailed record of the representations received and of the JSPU's proposed response.
- ii. The views and comments received have informed preparation of the Core Strategy Preferred Options document. Preferred Options reports must be published for each statutory Local Development Document (LDD). They are designed, for the purpose of consultation, to represent the second stage of LDD preparation whereby specific policy direction begins to take shape. It is vital that those wishing to help shape the final 'Submission Draft' document make their views and comments known in order for alternative options (both in terms of policies and elements of the strategy) to be fully considered.
- iii. When adopted the JMWDF will replace the existing Minerals and Waste Local Plans for Berkshire. It is being prepared in accordance with The Planning and Compulsory Purchase Act 2004 and will provide a strategic, spatial planning framework for minerals and waste development. When the documents that make up the JMWDF have been adopted they, along with the Regional Spatial Strategy (RSS) will form part of the overall Development Plan for Berkshire. The JMWDF will operate as a collective term containing:
 - Minerals Local Development Documents (MLDDs);
 - Waste Local Development Documents (WLDDs);
 - Supplementary Planning Documents (SPDs) (if produced);
 - The Statement of Community Involvement (SCI);
 - Annual Monitoring Reports (AMR); and
 - The Minerals and Waste Development Scheme (M&WDS).
- iv. Once the statutory consultation period expires, the JSPU will consider carefully all representations that are 'duly made'¹ and, where appropriate seek to resolve objections. This document will then be developed and appraised to form the 'Submission Draft Core Strategy Development Plan Document' which ultimately will be sent to the Secretary of State for the purpose of 'examination'. Whilst it is not possible at this stage to identify exactly the range of issues to be covered it is anticipated that the Submission Draft will make use of the information presented in this Preferred Options Report.
- v. Following submission, there will be a final six week period of consultation during which comments will be invited on whether the submitted document meets the Government's '*test of soundness*'.
- vi. All representations received by the JSPU will be considered throughout the 'examination' period by an independent Planning Inspector. The Inspector will test the '*soundness*' of the document. The examination phase will result in the Inspector submitting a binding report to the JSPU setting out, if necessary, how the document should be modified.

1. End Date for the Joint Minerals and Waste Development Framework

- 1.1 National Guidance about the preparation of Development Frameworks contained in PPS12 is that the end date of the Core Strategy should be set so that it covers a period of at least 10 years from the date of adoption. This is to ensure that the policies and proposals in the core strategy provide certainty for the future. Under the current Local Development Scheme, the JMWDF Core Strategy is not due to be adopted until March 2008. This would imply that it should cover the period up to 2018, some 2 years beyond the period of the Berkshire Structure Plan and the current RPG. The emerging Regional Spatial Strategy (RSS), The South East Plan, is intended to cover the period until 2026.
- 1.2 The Issues and Options paper set out three options for the end date of the JMWDF from which respondents were asked to select the period they believed to be most appropriate.

QUESTION 1

End date for the Joint Minerals and Waste Development Framework

- 1 Which period should the JMWDF cover, should it be:-
- Option 1.1 the period to 2016?*
- Option 1.2 the period to 2026?*
- Option 1.3 some other period?*

Summary

- A total of 23 respondents made 25 comments regarding the end date of the JMWDF.
- The majority of respondents favoured the period to 2026 with the main reason being that 2026 would give a sufficient time period from adoption of the LDF and would be in accordance with Regional Spatial Strategy.
- Those in favour of the period to 2016 suggested that a shorter period would give more flexibility and allow for possible changes in government policy.
- In terms of suggesting another period, the only suggestion put forward was 2023 which would allow for slippage in the date of adoption for, in particular, the Minerals LDF, comply with PPS12 and provide sufficient certainty for the future.

JSPU Response

- 1.3 The Preferred Option is that the Core Strategy will cover the period to 2026. This is in order to be consistent with the RSS.

2. The Vision for Minerals and Waste Planning in the Berkshire Area

- 2.1 The Issues and Options Paper sought to provide a vision that took into account the policy context at the national and regional level and to address the key minerals and waste planning issues that will need to be addressed in Berkshire over the period of the JMWDF.

QUESTION 2

The Vision for Minerals and Waste Planning in the Berkshire Area

- 2.1 *Does a Vision need to be stated?*
- 2.2 *If so does the suggested wording encompass what is needed?*

If you answer no to 2.2, please explain why.

Summary

- *A total of 26 respondents made 26 comments. The majority of comments related to the wording of the vision and that although not imperative, a vision was helpful.*
- *A number of respondents highlighted the use of the term “imposed by” and suggested instead using “in accordance with” as “imposed” gives the impression that waste and mineral requirements are a burden.*
- *Reference to the supply of specific types of minerals and the special local need for particular minerals was suggested as part of a vision.*
- *The ability of such a vision to encompass the scope and state clearly the full intentions of the JMWDF were questioned. Use of objectives rather than a vision was suggested.*

JSPU Response

- 2.2 The Preferred Option is that the vision should be altered to:

Vision for Minerals and Waste Planning in the six Berkshire Unitary Authorities

“To provide a land use policy framework for the supply of minerals and waste management and disposal for Berkshire in accordance with national and regional policy. In particular to plan for the delivery of mineral reserves and waste management capacity in locations which meet the needs of the communities in the JMWDF area, and Berkshire’s economy, in the most sustainable way.”

3. Objectives of the JMWDF for Minerals

- 3.1 The approach to minerals in the JMWDF should be based on a set of objectives to give a clear statement of what it is trying to achieve. Based on the emerging Regional Minerals Strategy, the Berkshire Structure Plan, and earlier consultation, 7 objectives.

QUESTIONS 3 Objectives of the JMWDF for minerals

- 3.1 Are the stated aims the right objectives for the JMWDF in respect of Minerals?**
- 3.2 If not, how do you think the objectives should be changed ?**
- 3.3 Are there any other objectives that should be adopted ?**

Summary

- *A total of 24 respondents made 39 comments on the objectives set out for minerals. Of these, there were five objections to the proposed objectives.*
- *In general, minor alterations to the wording were suggested to reflect changes in government guidance and what the MDF is seeking to achieve.*
- *Objective D was highlighted by a number of respondents. Operators were concerned that potential sites should not be limited to the identification of preferred areas.*
- *Concerns were raised by operators that Objective E, relating to sterilisation of proven mineral reserves, would prevent other forms of suitable development from taking place. Responses from local authorities suggested stronger wording to Objective E to ensure that potential mineral reserves are safeguarded.*

JSPU Response

- 3.2 The Objectives will be revised to take account of changes in government guidance and to clarify what the MDF is trying to achieve, or can achieve. Some objectives will be amalgamated to give a more streamlined set of objectives.

4. Supply of Aggregate Mineral Resources

- 4.1 Minerals make a significant contribution to the nation's prosperity and quality of life, and aggregate minerals are needed to build new communities and maintain existing ones. The requirement under national guidance is that minerals policies should make provision for ensuring an adequate and steady supply of aggregates for the construction industry by means of maintaining a landbank.
- 4.2 A landbank is a stock of mineral planning permissions which together allow sufficient aggregate minerals to be extracted to meet a defined period at a given rate of supply. The landbank requirement for aggregate sand and gravel is at least seven years unless exceptional circumstances prevail.
- 4.3 Question 4 addressed the issue of how far ahead JMWDF should seek to identify preferred areas in order to maintain the land bank within Berkshire.

QUESTION 4 Supply of Aggregate Mineral Resources

How far ahead should the JMWDF seek to identify Preferred Areas for aggregate minerals? Do you think it should:-

- Option 4.1** *Identify sufficient aggregate resources as Preferred Areas to maintain the landbank to 2023? or*
- Option 4.2** *Identify sufficient aggregate resources as Preferred Areas to last halfway to 2023 – say up to 2019 – and review the position after the review of the apportionment rate in 4 years' time? or*
- Option 4.3** *Not identify any additional aggregate resources, but review the position after the review of the apportionment rate in 4 years' time? or*
- Option 4.4** *Do something else?*

Summary

- A total of 23 respondents made comments on Question 4. Responses varied with some respondents seeking a shorter period to enable flexibility whilst others sought a longer period to provide certainty.
- 10 responses favoured identifying resources to 2023 whilst 5 responses favoured the shorter period to 2016, indicating that the argument for certainty outweighs the argument for increased flexibility.

JSPU Response

- 4.4 The Preferred Option is that sufficient resources will be identified as Preferred Areas to maintain the landbank until 2023, i.e. 2016 + 7 years.
- 4.5 The total tonnage in Preferred Areas is to be 17 X 1.570mt = 26.690mt. (Note: Current landbank = 12.497mt. Current PAs = 8.097mt. Current Landbank + PAs = 20.594mt).

5. Identification of Preferred Areas

- 5.1 The aim with identification of Preferred Areas is to identify the least problematic areas for future mineral working that will yield the amount of aggregates to provide for the landbank requirement.
- 5.2 Question 5 addressed the identification and selection methodology for preferred areas.

QUESTION 5. Identification of the Preferred Areas

- 5.1 Do you agree with the suggested methodology of identifying Preferred Areas for minerals in the JMWDF?**
- 5.2 Are there other considerations that should be taken into account in the selection methodology?**

Summary

- 21 respondents made 31 representations. 17 comments were made, 2 objections and 12 representations in support of the suggested methodology.
- The majority of responses supported the suggested methodology for identifying preferred areas. Comments were made in relation to including additional criteria in order to guide identification.
- Areas of search as part of a methodology for identifying future sites were suggested in addition to preferred areas.
- Consideration of the after use of worked sites for mineral extraction was deemed to be of importance such that where a suitable after use cannot be established, potential mineral extraction sites should not be considered.

JSPU Response

- 5.3 Many of the comments are related to detail; whilst these are important considerations they are too detailed to require specific changes at this stage. The comments will be taken into consideration in the methodology used, which will also be informed by the SA/SEA. Process.

6. Building Sand

- 6.1 Building sand is of a quality suitable for use in mortar, plaster or asphaltting,. Although sands suitable for building sand uses can, in certain cases, be obtained from sharp sand deposits, building sand is predominantly obtained from deposits of 'soft sand', more limited in their occurrence in the Berkshire area than sharp sand.
- 6.2 Deposits containing sands suitable for building sand occur both inside and outside the designated AONB but information about the location of commercial deposits is patchy to the extent that it is not considered possible to identify Preferred Areas for future extraction.
- 6.3 Question 6 addressed the issue of whether or not the amount of building sand extracted from areas within the AONB should be reduced, whether areas of search should be defined outside the AONB and whether this approach would provide enough certainty for the future.

QUESTION 6 Building sand

- 6.1 *Should the amount of soft sand suitable for building sand allowed to be extracted in the AONB be reduced?*
- 6.2 *Should Areas of Search for building sand be defined outside the AONB?*
- 6.3 *Does this approach provide enough certainty about where building sand might be worked in the future?*

Summary

- 42 representations were made by 17 respondents. Overall 14 of the representations raised objections to the issues raised whilst 23 were in support. In total, 5 comments were made.
- The balance between objections and support regarding sand extraction in the AONB reflects the potentially conflicting factors arising from this issue.
- One response suggested that areas outside the AONB should be fully investigated alongside those in the AONB.
- The majority of responses supported defining areas outside the AONB. However, doubt was raised over the adequacy of information to enable meaningful Areas of Search to be established.

JSPU Response

- 6.4 The Preferred Options will include Areas of Search for Building Sand, and abolish the 150t^{pa} allowance in the AONB. Some comments concerning detailed points about the application and uses of building sand will be incorporated into the general supporting text.

7. Safeguarding of Mineral Resources

- 7.1 Minerals are a valuable but limited resource that can only be won where they naturally occur. Safeguarding of viable or potentially viable mineral deposits from sterilisation by surface development which would preclude their possible extraction at some future date is an important component of sustainable development. Government advice is that planning authorities should make every effort to safeguard mineral deposits that are or may become of economic importance, against other types of development. The existence of viable or potentially viable mineral deposits can be noted by designating them as Mineral Safeguarding Areas (MSAs).
- 7.2 Question 7 addressed the issue of safeguarding mineral resources, surface development on areas where mineral deposits have been identified and how MSAs should be defined.

QUESTION 7 Safeguarding of Mineral Resources

- 7.1 Do you agree with the circumstances when surface development might be allowed over in-situ mineral deposits?**
- 7.2 Do you agree with the suggested factors to be taken into account in defining MSAs?**
- 7.3 Are there any other considerations that should be taken into account?**
- 7.4 Should they be defined for active mineral workings and Preferred Areas as well as identified mineral deposits of potential commercial value?**

Summary

- A total of 21 respondents made 61 representations to this issue, reflecting the perceived importance of the questions raised. 10 objections overall were raised and 24 comments made on the issues
- .With regard to surface development over in-situ mineral deposits, the majority of comments suggested that known mineral deposits should be safeguarded, particularly for future generations as surface development is relatively permanent and would sterilise deposits. Some suggested that prior extraction should be encouraged.
- The majority of comments were in favour of the suggested factors relating to defining MSAs. However, it was suggested that over-precise definitions could lead to some suitable areas for mineral working being omitted.
- The general consensus was that active mineral workings should be subject to the same level of safeguarding as identified mineral deposits of potential commercial value.

JSPU response

- 7.3 Strengthen the policy to encourage/ require prior extraction – depending on site characteristics.

8. The Use of Recycled and Secondary Aggregates

- 8.1 It is national and regional policy to increase the use of recycled and secondary aggregates as substitutes for primary aggregates wherever possible. This will depend on the technical suitability of the recycled and secondary aggregates for the development projects in hand. The adopted Regional Minerals Strategy includes a specific target to increase the proportion of total aggregates from recycled and secondary aggregates from 29% to 34% by 2016.
- 8.2 Question 8 covered aspects of recycling and secondary aggregates, in particular the most appropriate sites where processing should take place.

QUESTION 8 The Use of Recycled and Secondary Aggregates

- 8.1 Do you think that the present RMLP policies for the control of plant at mineral sites and rail depots should be reviewed in order to allow for the location of plant for processing recycled and secondary aggregates?**
- 8.2 Under what circumstances might existing or former mineral sites or rail depots be regarded as suitable for processing recycled and secondary aggregates?**
- 8.3 Do you think sites in the Green Belt would be appropriate locations for processing recycled and secondary aggregates?**
- 8.4 Do you think sites in the AONB would be appropriate locations for processing recycled and secondary aggregates?**
- 8.5 Would it be appropriate to identify Preferred Areas for plant to provide the additional processing capacity required?**

Summary

- A total of 22 respondents made representations relating to the issue of recycled and secondary aggregate. 46 responses supported all of the options raised whilst 15 objected. 28 comments were made.
- Concerns were raised over proposals that would have an impact on the openness of the greenbelt and perceived joining together of settlements. Other respondents pointed out that the green belt offers good potential for recycling plants due to their openness and distance from built development
- With regard to the siting of plant at minerals sites to allow the processing of recycled and secondary materials, this was generally supported. However, one objection was to sites continuing to be used once extraction and restoration were complete, though it was accepted that each proposal should be considered on its merits.
- In terms of suitability of former minerals working sites and rail depots for processing of recycled and secondary aggregates, the main consideration was deemed to be good road access, minimal environmental impact and disturbance to people in the locality. The proximity principle was also stated as being an important factor for consideration.

- *Varied responses were received relating to processing of recycled and secondary materials within the AONB. Comments were received which suggested the AONB might be appropriate under certain circumstances whilst others suggested the AONB should remain as it is.*
- *Preferred areas for plant to provide the additional processing capacity required were supported, however several respondents said that flexibility to allow sites elsewhere should be provided. One response suggested that this issue should be covered by the Waste Development Framework as opposed to the MDF.*

JSPU Response

8.3 The Issue of sites for recycled aggregates will be covered in the Waste Detailed Development Control Policies and Proposals document, but will be cross-referenced in the Minerals equivalent document. There will be Preferred Areas but no presumption in favour. Other sites that come forward will be considered.

9. Importation of Primary Aggregates

- 9.1 Berkshire has no deposits of hard rock, and therefore relies on imported supplies of hard rock aggregates. These imports constitute a significant proportion of aggregates used in the County, and most of the material comes from the South West Region. Due to the existence of a good rail connection and existing handling facilities these aggregates are predominantly transported by rail.
- 9.2 Question 9 looked at the aspects of rail depots and increased aggregate import capacity.

QUESTION 9 Importation of Primary Aggregates

- 9.1 Do you think that the present policies for rail depots should be reviewed in order to provide for more capacity for importing minerals from elsewhere?**
- 9.2 Should there be a presumption in favour of safeguarded rail depot sites being granted planning permission, subject to meeting defined planning and environmental criteria?**

Summary

- *16 respondents made representations on primary aggregate issues. 22 representations were made in support of the issues raised whilst 3 objections were raised. Comments ranged from aiming to re-use and recycle rather than importing new minerals, reviewing existing sites to consider whether current and future demand can be met from them and reviewing policies in line with the new regional guidelines.*
- *With regard to there being a presumption that safeguarded rail depots would be granted planning permission, this was generally deemed to be an issue that required further investigation and a number of factors to be considered before support could be given to any specific proposal.*

JSPU Response

- 9.3 RPG9 says MPAs should undertake an assessment of the need for rail facilities for handling and distribution of imported minerals and processed materials. The outcome of the assessment will inform the approach to be taken in the Preferred Options.

10. Windfall Sources of Aggregates

- 10.1 Examples of windfall sources of aggregates are (i) from development sites, usually for large scale projects which require the extraction of considerable volumes of material as part of the site preparation, such as the construction of a reservoir, or a flood relief scheme, and (ii) borrow pits which are temporary mineral workings opened locally to supply material for a specific construction project. By their very nature it is not possible to anticipate the likely volumes or even types of mineral that may be supplied from windfall sites.
- 10.2 Question 10 looked at current policies for windfall mineral sites and the impacts of large construction projects associated with them.

QUESTION 10 Windfall Sources of Aggregates

- 10.1 Do you think that the present policies for windfall mineral sites should be reviewed in order to allow more scope for exploiting windfall opportunities?**
- 10.2 Are further safeguards needed to minimise the impacts of the large construction projects that are inevitably associated with them?**

Summary

- 20 respondents made 35 representations on the issue of windfall sources of aggregates. 17 of the representations supported the issues raised whilst 10 were in objection.
- With regard to the review of present policies to allow more scope for exploiting windfall opportunities, a mixed response was received. The majority of responses suggested that current policy was adequate. One comment suggested this should be an issue dealt with through the development control process.
- With regard to further safeguards being put in place to minimise the impacts of the large construction projects associated with windfall, the need to differentiate between borrow pits and windfall sites was highlighted. The main response suggested that current safeguards were adequate.

JSPU Response

- 10.3 Current policies to be retained, with no changes.

11. Other Minerals

- 11.1 In addition to deposits of sharp sand and gravel which are the focus of the above issues, Berkshire has deposits of other types of minerals, specifically chalk and clay. There is also the possibility that viable deposits of oil and gas may exist within the County as well as deep seam coal beds. The current approach to these minerals in the RMLP and options for the JMWDF are described below.
- 11.2 Issue 11 raised questions regarding chalk, clay, oil and gas and whether the safeguards for each were sufficient. The issue was raised of whether the possibility of coal extraction should be explored.

QUESTION 11 Chalk and Clay

- 11.1 Are there adequate safeguards to minimise the effects of future extraction of chalk and clay?**
- 11.2 Is there a need for more certainty about where chalk and clay might be worked in the future?**

QUESTION 11 Oil and Gas

- 11.3 Are there adequate safeguards to minimise the effects of future extraction of oil and gas?**

QUESTION 11 Coal

- 11.4 Do you think that the Policy for oil and gas could be altered to also include the possible exploration and extraction of coal?**
- 11.5 Are there any other considerations that should be covered in a policy for coal?**

Summary

- 16 respondents made representations on the issue of 'Other Minerals'.
- With regard to chalk and clay, the general consensus was that due to the small scale level of extraction of these minerals within Berkshire, the current safeguards are adequate.
- The issue was raised of securing a 25 year supply of clay in order to meet the government's requirement in RPG 9 for the manufacture of clay tiles. A suggestion was also made for a simplified geological map of Berkshire showing where the main outcrops of chalk and clay lie in relationship to settlements.
- The safeguards relating to oil and gas were deemed to be adequate by the majority of respondents. One response suggested that minimising the effects of future extraction could be dealt with through conditions attached to any planning permission.
- An expansion of the policy for oil and gas to cover coal extraction was generally supported although it was pointed out that the exploration of coal has different requirements to oil and gas.

JSPU response

- 11.3 The Preferred Option will be that the current approach will be retained for chalk and clay.
- 11.4 Similarly the current approach will be retained for oil and gas. For coal it will be recognised that the operation is different from oil and gas, but the policy approach will be similar.

12. Restoration of mineral sites

- 12.1 The aggregates resources in Berkshire are all sand and gravel which occurs in relatively shallow deposits, meaning that sites are worked over much shorter time spans than hard rock deposits and the process of extraction is less intrusive than other forms of quarrying. This places increased emphasis on restoration issues, such as the phasing of the restoration process and the nature of the after-use. The traditional after-use options are agriculture, forestry or amenity. Amenity can be widely interpreted to include a range of recreation uses, and/or nature conservation.
- 12.2 Question 12 looked at the various options and implications of site restoration after mineral extraction.

QUESTION 12 Restoration of mineral sites

- 12.1 *Do you think there is scope for more lakes following mineral extraction, or are there enough already?*
- 12.2 *Are there other forms of restoration that you would like to see in place in Berkshire?*

Summary

- 26 respondents made representations on the question of restoration reflecting the considered importance of this issue.
- With regard to the scope for more lakes within Berkshire as a form of restoration, this issue attracted a mixed response, with some in favour of more lakes and others believing there are enough already. Others suggested that each site should be looked at according to its merits.
- Suggestions for other forms of restoration ranged from tree planting, wetland habitat creation, agricultural reuse, low level industrial use, housing, filling with inert waste and landscaping

JSPU Response.

- 12.3 The Preferred Options will be to retain the current approach which is to judge each site on its merits. Lakes are to be carefully planned to avoid large expanses of unbroken water.

WASTE ISSUES AND OPTIONS

13. Waste Primary Objectives

- 13.1 The waste-related objectives of the JMWDF are important in helping to define the overall themes and direction for waste planning in Berkshire, and also in the formulation of policies and proposals. A set of objectives to underpin the waste aspects of the JMWDF is suggested below (not in any order of priority).
- 13.2 Question 13 addressed the appropriateness of waste minimisation as a key objective of the plan.

QUESTION 13 Waste Primary Objectives

- 13.1** *Is it appropriate to refer to waste minimisation as a key objective of the plan, when it is not necessarily a spatial planning matter?*
- 13.2** *Are there any additional Primary Objectives that should be included?*

Summary

- *A total of 23 respondents commented on this issue. 14 supporting representations were made overall and 18 objections.*
- *Comments indicate that the objectives may be too many and could be consolidated with certain objectives being omitted or reworded to reflect the balance of waste primary objectives and focus on spatial planning matters.*
- *In terms of waste minimisation as an objective, the general consensus was that this matter should be dealt with by policy documents other than the waste LDF.*

JSPU Response

- 13.3 The JSPU will consider whether it is possible to reduce and consolidate the waste primary objectives. The Preferred Option will be to refer to waste minimisation in the supporting text, but not to include this as an objective of the Waste Core Strategy.

14. Waste Self-sufficiency

- 14.1 A specific issue for review in relation to Primary Objective K is the issue of self-sufficiency in determining an approach to planning for waste management in Berkshire. This is important because of the wider regional policy context which is to seek regional self-sufficiency in waste management, and because of the demands that will continue to be placed on the south east (and the eastern region) to accommodate a proportion of waste arising in the London conurbation.

- 14.2 Question 14 asked how the JMWDF should seek to address the issue of waste self sufficiency.

QUESTION 14 Waste Self sufficiency

Should the JMWDF plan seek:

- 14.1** *To manage/dispose of all waste arising in the six Unitary Authorities within the Berkshire area; or*
- 14.2** *To manage/dispose of all municipal waste arisings from the six Unitary Authorities within the Berkshire area but leaving non-municipal waste management to the market to determine; or*
- 14.3** *To achieve (14.1 or 14.2) while also making provision for the management/disposal of some waste arisings from outside the Berkshire area, including London; or*
- 14.4** *To make provision for the management/disposal of most of the Berkshire area waste arisings within the six Unitary Authorities, but allowing for the management/disposal of a proportion outside of the county; or*
- 14.5** *Other.*

Summary

- *21 respondents made 26 representations on the issue of waste self sufficiency. 15 supporting representations were made and 1 objection.*
- *The comments indicate that self sufficiency is a good objective in principle, although responses from operators and local government suggest that the industry benefits from some import of waste and it would be sensible to allow for some export.*
- *The issue of regional and sub-regional self sufficiency was also highlighted as being an important consideration.*

JSPU Response

- 14.3 The Preferred Option is that self sufficiency in all waste streams will form part of the Core Strategy. This refers to *net* self sufficiency and it is recognised that in practice there will be both imports and exports of waste. The contribution needed by Berkshire to meeting the region's apportionment of London's residual waste will be referred to.

15. Minimising the Distances Waste is Transported

- 15.1 In the context of waste management, the 'proximity principle' has been that wastes should be disposed of as close to where they arise as possible, and this was a tenet contained in PPG10, the national waste planning guidance that pre-dated PPS10. This is in order to minimise the amount of waste movement and hence the adverse effects of transporting waste. PPS10 no longer includes the term proximity principle but gives emphasis to the need for communities to take greater responsibility for the waste they generate, the intention of which is to reduce demand for transporting waste over distance for disposal, and to make communities more aware of the need to manage and reduce their own waste arisings.
- 15.2 Question 15 addressed issues relating to the proximity of facilities to where waste arises.

QUESTION 15 Minimising the Distances Waste is Transported

- 15.1 *Should the JMWDF provide for certain waste management facilities (e.g. bulking and transfer stations, and recycling facilities) closer to where wastes arise?*
- 15.2 *What relative weight should be placed on minimising the distance waste is transported and environmental protection, including local amenity?*
- 15.3 *Should the JMWDF offer guidance on the distances that it would be appropriate to transport wastes to certain types of facility?*

Summary

- A total of 20 respondents made representations on the issue of minimising the distance waste is transported. 27 objections were made and 9 supporting representations.
- The majority of respondents supported the principle of providing certain waste management facilities closer to where waste arises.
- With regard to the issue of certain waste management facilities being closer to where waste arises, most responses indicated that this was dependent on the type of waste and the implications this would have on local amenity.
- In terms of distances appropriate to transport wastes to certain types of facility, several respondents used the table to indicate distances they believed to be appropriate. Overall, however, the consensus was that such a method was too prescriptive and that distances should be for guidance only.

JSPU Response

- 15.3 The JSPU agrees that a policy dealing with the distances that different types of facility should be from the main sources of arisings of waste they handle is too prescriptive. The opportunity for supporting text dealing with this will be considered. The Preferred Option will be in principle to minimise the distance

over which waste is transported for treatment and disposal, but it is recognised that some wastes will need to be transported further for specialist treatment. Transport by rail or water may mean waste can be transported further sustainably.

16. The Distribution of Waste Facilities

- 16.1 In determining an approach to minimising the distances waste is transported it will be necessary to decide how new waste facilities should be distributed within the Berkshire area. There are several important considerations in this regard including the main sources of waste arisings, the different waste streams present, the technical and economic factors affecting the viability of facilities and the transport network. In simple terms the range of scenarios available may be summarised as at one extreme, fewer, larger facilities, and at the other, more, smaller facilities, with other scenarios lying between these extremes.
- 16.2 Following on from question 15, question 16 addressed the issue of where waste facilities should be located.

QUESTION 16 The Distribution of Waste Facilities

Do you consider that in planning for the waste management requirements of the Berkshire area the JMWDF approach should aim towards:

- 16.1 Fewer, larger facilities centred on urban areas; or**
- 16.2 More, smaller facilities distributed across the JMWDF area; or**
- 16.3 A mid way position tailored to the needs of different waste streams and sources of arisings?**

Summary

- 23 representatives responded to the issue regarding the distribution of waste facilities, 9 objections were raised to the issues and 22 supporting responses.
- The majority of respondents favoured the mid way position which allows for a more flexible approach with different types of facilities located at the most appropriate position in terms of economic viability, environmental and health impacts.

JSPU Response

- 16.3 The JSPU considers that a flexible approach to the distribution of waste facilities is needed, without rigid adherence to either a dispersed or centralised pattern of provision. The spatial strategy will take account of locations of waste arisings, and the range of factors that influence where facilities can be sited. It will also take account of the issue of economic viability in terms of the scale of individual facilities.

17. The Waste Planning Strategy

- 17.1 The waste planning strategy of the adopted BWLP is defined largely by reference to a waste hierarchy for Berkshire based in turn on the national hierarchy set out in Waste Strategy 2000.
- 17.2 The issue for review is whether the strategy suggested remains the most appropriate one, whether the strategy needs to be more clearly defined, and whether other strategies need to be considered. The review also needs to take account of the municipal waste management strategies that have been prepared and adopted by the Unitary Authorities. These assume procurement of waste management services through PFI arrangements, and therefore the detailed approaches to delivering waste management services will be dealt with by private firms, in some cases yet to be appointed. While the JMWDF will need to provide the framework within which facilities are brought forward, the precise nature of those facilities will be determined by the market providing the waste management services.
- 17.3 Question 17 asked what the most appropriate approach to establishing a waste planning strategy should be and illustrated the main options with the Table reproduced below:

Strategy	Comments
Option 1 Increase in recycling; residual landfill.	Do Minimum – <i>not appropriate as fails to achieve resource recovery.</i>
Option 2 Increase in recycling; bio-treatment of green waste; and home composting; residual landfill.	Intermediate option. <i>Home composting not considered sufficiently robust basis in planning terms for reducing this part of the waste stream.</i>
Option 3 Increase in/maximise recycling; and composting with facilities provided in proximity to main population concentrations; residual landfill.	Do Maximum (recycling / composting). <i>This forms part of the strategy currently proposed/adopted.</i>
Option 4 Increase in/maximise recycling, and composting, energy recovery from thermal treatment facility(ies); residual landfill.	Do Maximum (energy recovery). <i>This forms the currently adopted strategy in Slough but may not be appropriate in other Unitary Authority areas</i>
Option 5 Increase in/maximise recycling and composting; energy recovery from thermal treatment facilities in main urban areas/to serve different parts of the Berkshire area; residual landfill.	Intermediate option. <i>Considered but viability issues with EfW using smaller plants with smaller throughputs. May not be appropriate in all areas</i>
Option 6 Increase in recycling; combustion with energy recovery in conurbations; centralised composting in rural areas; green waste composting in rural areas; residual landfill.	Intermediate option. <i>Promotion of centralised facilities likely to be too inflexible to respond to emerging commercial waste management arrangements</i>
Option 7 Increase in/maximise recycling; and composting, treatment of residual waste by variety of methods including combustion with energy recovery and/or other resource recovery technologies; residual landfill.	Intermediate option. Do Maximum (recycling / composting). <i>With flexible approach to delivery of other methodologies lower down the waste hierarchy. Broadly, 'preferred' option as it offers optimum flexibility while encouraging maximum levels of recycling and recovery.</i>

Option 8 Increase in recycling; minimal combustion with energy recovery; limited centralised composting; residual landfill.

Intermediate option. This is partly relevant as it is desirable to size the EfW capacity such that it is not a disincentive to recycling/recovery higher up the waste hierarchy.

QUESTION 17 Waste Planning Strategy

In determining the overall approach of the JMWDF it will be necessary to agree the waste planning strategy:

17.1 Which option(s) do you consider offer the most robust strategy that could be applied in the Berkshire area?

17.2 If you think a different option to those shown would be more appropriate please outline it and explain why.

Summary

- 19 respondents made representations on the issue of establishing a waste planning strategy. 24 comments were made on this issue.
- Various options from the table were favoured. Comments suggest that the most flexible approach needs to be taken that allows individual requirements, circumstances and best available technology to be taken into account. In this respect, option 7 was seen as the most appropriate.
- However, a number of comments also raised concerns that the options presented were more relevant to a waste management strategy rather than the planning strategy, and also that they gave too much emphasis to municipal waste as opposed to other sources.
- Other comments suggest the need for sorting of waste materials at source and that incineration, mechanical and biological treatment should be a last resort.

JSPU Response

17.4 The JSPU will consider whether the inclusion of a defined waste planning strategy is useful in addition to the Key Objectives and in particular whether it helps explain the spatial approach or not.

18. Flexibility in the JMWDF

18.1 Arising directly from Issues 16 and 17 above is the challenge for the JMWDF in addressing the waste management requirements of the six Unitary Authorities. While normal county-level waste development frameworks cover a number of district authorities, in those cases the county council concerned remains the Waste Planning Authority (WPA). In the Berkshire area, each of the six Unitary Authorities is a WPA and therefore each will need to be able to

apply the JMWDF policies to local circumstances in determining waste related planning proposals and implementing their own waste management strategies.

- 18.2 Question 18 addressed a number of options relating to flexibility in the JMWDF.

QUESTION 18 Flexibility in the JMWDF

- 18.1 Do you consider that the JMWDF should be as flexible as possible and make maximum use of criteria-based policies for delivering waste management capacity across the Berkshire area; or**
- 18.2 Would you prefer to see a plan that is more prescriptive in its proposals for each Unitary Authority area through specific site allocations and/or defined types of processing facility at such locations; or**
- 18.3 Do you believe that a combination of criteria-based policies and site-specific proposals is the best way of achieving flexibility and certainty?**

Summary

- 22 respondents made representations on the issues raised, with 22 representations in support and 1 objection.
- The majority of respondents favoured a flexible approach, adopting both criteria and site specific policies. However, those with environmental and wildlife concerns favoured the more prescriptive approach, arguing that this would provide better protection for statutory wildlife sites.

JSPU Response

- 18.3 The JSPU proposes to adopt a combined approach to the delivery of sites for waste management infrastructure using Preferred Areas, and criteria based policy/policies which allow other sites to be granted planning permission where they satisfy the criteria. It is intended that Preferred Areas will be identified of a number and/or size at least sufficient to provide the capacity identified in revised PPG9. Other policies will make provision for unidentified sites to be brought forward where appropriate. However, it is proposed that waste *disposal* facilities such as landfill or incineration will only be brought forward through Preferred Areas.

19. Technologies

- 19.1 As noted in respect of Issue 17, there are a number of different waste management and processing technologies available, and under development, and these may not be favoured equally by the six Unitary Authorities as WPAs, or be equally appropriate in, for example, both the more urbanised eastern part of the JMWDF area and the more rural west. Separate from their

preferences as planning authorities, decisions about the technologies which will be used for MSW are matters for the Unitary Authorities to determine as WDAs through their MWMS and commercial contracts. The JMWDF will be an enabling document and will not favour one technology over another. Therefore the JMWDF must accommodate different preferences in different parts of Berkshire.

- 19.2 Question 19 addressed the issue of waste technologies and whether particular technologies are more appropriate in one location than another.

QUESTION 19 Technologies

If particular technologies are more favoured in one part of the Berkshire area than another, do you think this should be reflected in the drafting of the Joint JMWDF and its policies by:

- 19.1** *Seeking to reflect known preferences by making site allocations in different parts of the Berkshire area geared to the technologies favoured in those areas; or*
- 19.2** *Adopting more general policies for site allocations and the control of development that allow a range of technologies to come forward in a given location; or*
- 19.3** *Other.*

Summary

- *16 respondents made representations on the options set out in issue 19. 15 supporting statements were made and 1 objection.*
- *Comments suggested that policies should not go as far as stipulating what technologies would be suitable for certain sites, but they should be flexibly worded to allow for emerging technologies and waste types.*
- *In terms of known preferences, this was deemed to be too prescriptive as these can change over time.*

JSPU Response

- 19.3 In line with the approach proposed at Question 18, the JSPU agrees that a flexible approach is required that permits as wide a range of waste management technologies as possible at a given site. However, in identifying Preferred Areas the JSPU does propose to indicate the different activities appropriate for the site, and the criteria policy will automatically sieve out activities that would not be appropriate at a location.

20. Targets

- 20.1 There are targets set at the national and regional level for municipal waste recycling, composting and energy recovery. These are discharged through both the planning system, and through the Landfill Allowance Trading Scheme (LATS) and Best Value Performance Indicators (BVPI). Assumptions about the commitment to, and success in, achieving these targets are central to the planning for facilities, including for landfill needs to address residual waste.
- 20.2 Question 20 addressed various possible options relating to meeting waste targets.

QUESTION 20 Targets

In determining the strategy should the JMWDF:

- 20.1** *Provide for the development of a range of municipal waste management facilities to meet national recycling, composting and energy recovery targets only and to reduce the reliance on landfill disposal of municipal waste; or*
- 20.2** *Provide for development of a range of municipal waste management facilities in order to exceed national recycling, composting and energy recovery targets and meet other targets set regionally and/or locally and therefore minimise the amount of municipal waste being disposed of at landfill sites;*
- 20.3** *Aside from MSW provide for development of waste management facilities to meet the national target only for reduction in C&I waste disposed of to landfill; or*
- 20.4** *Provide for the meeting of the targets for waste streams other than MSW, set in the RWMS.*

Summary

- 18 respondents made 29 representations on the issue of setting targets. 21 supporting representations were made which included 15 comments.
- The general consensus favoured reducing the amount of waste sent to landfill overall, driving waste up the hierarchy. The need to address all waste streams, in particular both MSW and C&I waste was highlighted.
- Overall, option 20.2 received the most support as it gives flexibility on the type of waste management facility whilst encouraging exceedance of national targets.

JSPU Response

- 20.3 The JSPU agrees that the Cores Strategy needs to give equal priority to facilities required to manage and dispose of all types of waste. It also agrees that, as a minimum, the Strategy must plan for the capacity required to

achieve set targets for recycling and recovery and for the diversion of waste away from landfill.

21. Planning for the delivery of waste management facilities

21.1 A key aspect of the JMWDF will be the approach taken in planning for the delivery of waste management facilities. There are a number of different approaches available and these may need to be developed selectively to deal best with different waste streams.

21.2 Question 21 looked at the issues regarding the delivery of waste management facilities.

QUESTION 21 Planning for the delivery of waste management facilities

21.1 What type of guidance do you feel should be provided for in the selection or identification of sites for waste management facilities?

21.2 If you feel that different types of facility may warrant different approaches please indicate by ticking the appropriate boxes in Table 4.4 – more than one box may be ticked per type of facility. NB Table 4.4 is reproduced in the Response Form at Appendix D.

Summary

- 18 respondents made representations either supporting or commenting on the issues relating to the delivery of waste management facilities.
- The overall view on selection and identification of sites was for a combination of criteria and preferred area policies allowing for a variety of waste treatment facilities.
- Comments suggested that PPS10 should form the basis for guidance and that the use and definition of 'strategic' and 'non-strategic' as types of Preferred Area sites should be reviewed carefully as to whether they are helpful. It was generally felt that the scale of development appropriate for any particular site should depend on its nature and location.

JSPU Response

21.3 As noted at Question 18, the JSPU favours flexibility in planning for the delivery of new waste management capacity through a combination of identified Preferred Areas, and a criteria based policy approach. The JSPU agrees that the use of the terms strategic and non-strategic do not add to clarity. It is proposed that identified Preferred Areas will be accompanied by guidance on the types of activity likely to be appropriate for them.

22. Definition of 'Need' for new waste management facilities.

22.1 Paragraph 22 of PPS10 states that *'when proposals are consistent with an up to date development plan, WPAs should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal'*. The JMWDF is itself required to plan to meet 'need', defined by the sub-regional apportionment in the RSS of waste management capacity. As a result, any proposal for waste management development outside Preferred Areas or not complying with the supplementary criteria that may be presented would be a 'departure' from the development plan.

22.2 Question 22 looked at the issue of need in relation to new waste management facilities.

QUESTION 22 Definition of 'Need' for new waste management facilities

22.1 *Should the JMWDF define the need circumstances where proposals for waste management facilities outside Preferred Area or other provisions of the Framework may be appropriate?*

22.2 *If yes, should the definition be based on the following*

- a) *The waste management capacity which the JMWDF is required by the RSS to make provision for; and/or*
- b) *The number of sites that might be needed to handle that quantity of waste; and/or*
- c) *The origin of the waste (particularly if the proposed facility in question is designed to handle waste from outside the Berkshire area. This would be important if the facility would increase capacity to handle waste above the amount needed to achieve 'net self sufficiency', or led to waste movements over unsustainable distances.*

22.3 *Or should the JMWDF define need in another way? If so please describe.*

Summary

- *18 respondents made representations on the definition of need issue. 14 supporting representations were made and 8 objection.*
- *Comments suggested that any policy relating to need should relate to proposals that are departures from the development plan. The definition of need based solely on the scale of provision required by RSS was highlighted as being inflexible. Other comments suggested that if an applicant meets criteria, there is no need to demonstrate a need.*
- *Various options were indicated as being an appropriate definition of need but overall the need for a flexible approach was highlighted.*

JSPU Response

- 22.3 The JSPU considers that need should not require to be demonstrated except in circumstances where a proposal is made on a site other than a Preferred Area, and the proposal in question has the potential to prejudice achievement of the aims of the Core Strategy, e.g. by threatening the deliverability of a Preferred Area located to serve the needs of a particular geographic area. In general, however, the JSPU takes the view that need is not relevant since over-provision of waste management capacity is unlikely due to market forces, and more capacity is in-principle to be encouraged.

23 Planning for commercial and industrial waste management

- 23.1 Although it is the largest element of the non-hazardous waste stream (of which MSW forms the other main part), the majority of the C&I waste stream is not a statutory responsibility of the Waste Collection Authorities and does not therefore form part of the integrated waste management contracts the six Unitary Authorities propose to let. As a result, this waste stream is essentially free to go where the market directs for management, subject to regulatory regimes.
- 23.2 Question 23 sought opinion on how the issue of C&I waste should be planned for.

QUESTION 23 Planning for commercial and industrial waste management

In planning for C&I waste management facilities do you consider that:

- 23.1 *C&I waste should be considered separately with specific criteria-based policies and/or preferred areas; or*
- 23.2 *C&I waste should be subject to criteria-based policies and/or preferred areas applied generically to all waste streams in the JMWDF, in the context of the RSS sub-regional apportionment; or*
- 23.3 *Other (please state).*

Summary

- 16 respondents made representations on the issue of C&I waste. 16 representations were made in support of the options put forward and 10 objections.
- Generally, comments suggested that the source of the waste should not be a determining factor in how it is managed. However, the potential difference in impact between C&I and MSW was highlighted. Capacity required as opposed to management methods was seen as most important.

JSPU Response

- 23.3 A number of respondents highlighted concerns that waste should be planned for on the basis of their requirements for treatment and disposal and not in relation to origin. The point is made that 'municipal' and 'commercial' are becoming much less relevant as waste classifications for use in management have become more widely used. The JSPU notes these comments and agrees that the Core Strategy should plan for waste capacity that can address the types of waste requiring treatment and disposal in Berkshire. However, due to the way data is collected, and targets set, it will continue to be necessary to use the terminology *municipal, commercial/industrial and construction/demolition*, as well as end-type descriptions notably *hazardous*.

24 Planning for management facilities for significant waste types other than MSW, C&I and inert

- 24.1 The adopted BWLP98 does not have specific policies in respect of sites for some waste types. Although these may effectively form part of waste streams, such as C&I, a number will become more significant as a result of recent or forecast future legislation. For example, since July 2004 hazardous waste can no longer be co-disposed of at non-hazardous landfills, and currently there are no licensed facilities in Berkshire to receive such wastes. Non-natural agricultural wastes became 'controlled' in 2006, and therefore will need to be managed/disposed of at licensed facilities, and waste electrical and electronic equipment (WEEE) must now be collected and managed as a specific waste stream.
- 24.2 Question 24 addressed the type of guidance and approach to selecting or identifying sites for waste management facilities for waste streams other than municipal, construction and industrial and inert.

QUESTION 24 Planning for the delivery of waste management facilities for waste streams other than municipal, C&I and inert

- 24.1 *What type of guidance do you feel should be provided for in the selection or identification of sites for waste management facilities for 'other' waste streams?*
- 24.2 *If you think that different types of facility may warrant different approaches please indicate by ticking the appropriate boxes in Table 4.5. .*

Summary

- *12 respondents made comments on the issue of delivering other waste management facilities.*
- *The general direction of the comments made suggested that the approach to management of 'other' waste will be dependent on type and volume. One comment highlighted that most hazardous waste from Berkshire is exported*

to other counties. However, the need to plan for hazardous waste was emphasised.

- *A combination of criteria-based policies and where possible Preferred Areas was suggested.*

JSPU Response.

As noted above, the JMWDF will need to plan for all waste types arising in Berkshire. The JSPU does not believe that different approaches to planning for different wastes is needed. This is because the key issue is the type of facility required, and these do not differ significantly in site planning terms for different types of waste – although site investment costs may be higher for more complex treatment activities. The proposed approach therefore is to make provision for waste management capacity through the combination of Preferred Areas and criteria policy referred to above. It is recognised that a proportion of hazardous waste may continue to be exported for treatment and disposal but it is intended that this will not be the result of an absence of appropriate sites.

25. Waste reduction and new development

- 25.1 Waste minimisation is at the top of the waste hierarchy but is an area that is difficult to influence directly through the planning system and spatial plans. One way that is possible is through policies that encourage forms of development which themselves encourage waste minimisation and recycling by including appropriate waste management facilities. An example would be extra space allocated in residential or commercial developments for the storage and pre-sorting of recyclable wastes. A further way is through policies that require the re-use and recycling of construction materials as part of redevelopment proposals.
- 25.2 Question 25 addressed the issue of reducing waste in relation to new development.

QUESTION 25 Waste reduction and new development

- 25.1 Do you consider that the JMWDF should include policies that impose requirements on non-waste related development which encourage waste minimisation as part of that development? or**
- 25.2 Do you consider that such policies should be only contained in the LDFs prepared by individual planning authorities?**
- 25.3 Are there other ways in which the JMWDF can contribute directly to waste minimisation?**

Summary

- *18 respondents made representations on this issue. 15 supporting representations to the issues were made*
- *Policies advocating the use of recycled materials in construction together with energy conservation and resource management were suggested.*

- *Good practice guidance was suggested. It was also suggested that LDF documents prepared by the individual Unitary Authorities should include policies so that the issue can be dealt with the issue as part of individual development proposals.*
- *Other comments highlighted that evaluating waste minimisation at source was extremely difficult*

JSPU Response

- 25.3 Policies requiring the provision of facilities that encourage waste minimisation, for example, in new housing schemes are essentially concerned with the design of new development rather than waste planning. Therefore it is most appropriate that such policies are provided in the LDFs prepared by the Unitary Authorities rather than the JMWDF. Similarly, a requirement to use recycled materials in construction projects – notably crushing and reusing demolition materials for aggregate on a redevelopment site is also focused on the development proposal rather than a waste related land use, and so should also be included in the Unitary Authority LDFs. Supporting text of the JMWDF should, however, make reference to these opportunities.

26. Developer contributions to support waste management facilities

- 26.1 Taking Issue 25 a step further is the concept of whether it is appropriate to seek in the JMWDF contributions from new non-waste related development towards waste management facilities required to serve that development. If the answer to Issue 25.1 above is yes, then this may be something the JMWDF should pursue. Such an approach would reflect the objectives of RPG Policy W2 referred to above, and Policy W5 of RPG states that waste planning authorities should ensure that policies are in place to contribute to the delivery of targets for diversion of waste from landfill through a range of waste management processes. Policy W6 continues the theme specifically for recycling and composting targets.
- 26.2 Question 26 sought responses as to whether it was appropriate to seek contributions from non-waste development for waste management facilities.

QUESTION 26 Developer contributions to support waste management facilities

- 26.1 Do you consider that the JMWDF should include policies that impose requirements on non-waste related development for a financial contribution to waste minimisation and/or waste processing facilities of capacity equivalent to the demand created by that development?**

Summary

- *Respondents made representations on the issue of developer contributions to support waste management facilities.*

- *Comments ranged from fully supporting the idea to complete objection. One such comment indicated that this might introduce another incremental tax on for example housing at a time when government priority is to increase housing supply.*
- *Another comment stated that such an approach could enable other waste developers financial contributions towards providing necessary waste facilities to be offset.*

JSPU Response

- 26.3 In light of comments received and continuing consideration of this issue the JSPU considers that it would not be appropriate to include such a policy in the JMWDF. As is proposed in respect of policy considered at Question 25 above, it is considered that if this policy objective is to be pursued then it should be done through the individual LDFs of the Unitary Authorities.