

**Berkshire Unitary Authorities**

**Minerals and Waste Development Framework**

Core Strategy  
Preferred Options  
Regulation 26 (2004)

Report of Consultation Responses Received

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Core Strategy Preferred Options  
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Prepared for

**Berkshire Joint Strategic Planning Unit**, St Mary's House, C/o Town Hall, St Ives Road, Maidenhead, SL6 1RF Tel 01628 796518

On behalf of

**Bracknell Forest Council**, Time Square, Market Street, Bracknell, Berkshire RG12 1JD Tel: 01344-424642

**Reading Borough Council**, PO Box 17, Civic Offices, Civic Centre, Reading RG1 7TD Tel: 0118-939 0900

**Royal Borough of Windsor & Maidenhead**, Town Hall, St Ives Road, Maidenhead, Berkshire SL6 1RF Tel: 01628-798888

**Slough Borough Council**, PO Box 570, Slough, Berkshire SL1 1FA  
Tel: 01753-552288

**West Berkshire Council**, Council Offices, Market Street, Newbury, Berkshire RG14 5LD

Tel: 01635-42400

**Wokingham Borough Council**, PO Box 157, Council Offices, Shute End, Wokingham, RG40 1BN Tel: 0118-974 6000

by **Atkins Limited**, The Octagon, Pynes Hill Court, Rydon Lane, Exeter, EX2 5SP  
Tel: 01392 352900 Fax: 01392 352999

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## Introduction

- i. This report 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 Preferred Options consultation undertaken during 2007. The report summarises the comments made by consultees and outlines the JSPU's proposed response. The topics on which responses were made are presented in the order that they appeared in the Preferred Options version of the Core Strategy. A detailed record of the representations received and of the JSPU's proposed response to each is available separately.
- ii. These responses have informed preparation of the Submission Draft of the Core Strategy, which will be considered by an Inspector appointed by the Secretary of State at an 'examination in public'. Following the examination, the inspector will decide whether the document is 'sound' and can therefore be recommended for adoption.
- 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 and Waste Local Development Documents (MWLDDs);
  - 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).

# 1. Vision

One of the key elements of the Core Strategy in any Development Framework is a spatial vision for the area. The vision should reflect the spatial elements of the community strategy within the context of national and regional policies. The purpose of the vision in the Joint Minerals and Waste Core Strategy is to set an overarching theme for minerals and waste planning in the Berkshire area for the plan period. The proposed vision in the Preferred Options Core Strategy was:-

<p><b>Vision for Minerals and Waste Planning in the six Berkshire Unitary Authorities</b></p> <p><b>“The Minerals and Waste DPD will provide a policy framework for the delivery of minerals and waste management facilities in accordance with national and regional policy based on the following principles</b></p> <ul style="list-style-type: none"><li>• responding to the needs of Berkshire’s communities and economy as part of the wider region</li><li>• making decisions which take account of future generations</li><li>• promoting the careful management of resources</li><li>• ensuring efficient use of materials</li><li>• respecting the environment and peoples living conditions.</li></ul> <p>During the plan period, provision will be made for current and future development requirements reflecting the spatial characteristics of the County in terms of development pressures and environmental priorities.</p> <p>There will be an adequate and steady supply of materials for the construction industry and other uses, in accordance with Berkshire’s share of national and regional apportionments. The Plan will identify Preferred Areas so that the supply can be provided with the minimum of environmental damage.</p> <p>Facilities will be available for the delivery of imported minerals to meet requirements which cannot be met from Berkshire’s own natural resources, and for the recovery and use of recycled aggregates.</p> <p>Decisions on mineral applications will ensure that during extraction there is a minimum of environmental damage and that afterwards sites are restored to beneficial after uses in line with the requirements of the areas in which they are located.</p> <p>Provision will be made for safeguarding all potentially important deposits of aggregate minerals from sterilisation by surface development, either by steering it elsewhere or by ensuring prior extraction.</p> <p>A network of waste management and disposal facilities will be developed, building on and enhancing the pattern of provision that already exists in Berkshire and will provide a capacity that in total is at least equivalent to the waste arisings within Berkshire. This will involve the safeguarding, where appropriate, of existing facilities and the development of new capacity located so that it can best meet the waste management needs of the main centres of population and economic activity in the eastern part of the county area, at Reading, and in the Theale and Newbury area.</p>
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Facilities will be developed of a type and density sufficient to meet the needs of the lower density population in the rural areas of Berkshire, balancing the number of facilities with the need to reduce demand for travel.

Where possible new waste management facilities will be located on previously developed land, including within established employment areas; they will be well planned and of good quality, and will not have unacceptable adverse effects on communities, the local economy or the environment.

The network of facilities will meet the needs of local communities as well as commercial and industrial waste producers. The network will include a full range of facilities geared to fulfil the objectives of the waste hierarchy.”

Some waste arising in Berkshire will continue to be exported for processing and disposal outside the county area, and some wastes will continue to be imported in the same fashion.”

### **Summary of responses**

- *A total of 7 respondents made 8 comments on the content of the vision for minerals and waste planning in Berkshire to 2026. Generally there was support for a vision to present a goal towards which the plan should aim.*
- *Comments on the overall tone of the vision were that it should provide more specific guidance on the future shape of minerals & waste planning and provision in Berkshire and that it should be more optimistic of the potential economic benefits resulting from mineral working and restoration, and adhere to the principles of sustainable development*
- *Comments on particular aspects of the vision were that it should support the use of sustainable transport methods; that it did not need to be so specific about the location of waste arisings; it should recognise individual users' requirements; should refer to specific aspects of restoration; and questioning the extent to which mineral deposits could be safeguarded.*

### **JSPU Response**

Changes were made in response to the comments on the tone of the vision, and in relation to sustainable transportation. However the other comments were considered too detailed to justify alteration of the vision wording, and could be more appropriately addressed elsewhere.

## 2. Objectives

Objectives are another key element of the Core Strategy in a Development Framework. The Preferred Options version of the Joint Minerals and Waste Core Strategy had 2 sets of objectives, one for minerals and one for waste.

### Minerals Objectives

- **Objective A** - To strike a balance between the demand for all mineral resources and the need to protect the quality of life of residents, the economy and the quality and diversity of environmental assets;
- **Objective B** - To promote the most efficient use of all mineral resources and the re-use of recycled minerals and secondary aggregates, having regard to the principles of sustainable development;
- **Objective C** - To make provision for a stock of permitted reserves (a landbank) for aggregate minerals, in accordance with current Government advice to ensure an adequate and steady supply of minerals;
- **Objective D** – to ensure that the environmental impacts caused by mineral operations and the transport of minerals are kept to an acceptable minimum by defining Preferred Areas for Future Working;
- **Objective E** - To ensure that mineral sites are progressively restored to a beneficial after-use;
- **Objective F** - To prevent the unnecessary sterilisation of important mineral resources by other forms of development

### Waste Objectives

- **Objective G** – To strike a balance between the need for waste treatment and disposal facilities and the need to protect the quality of life of residents, the economy, and the quality and diversity of environmental assets;
- **Objective H** – To create the spatial planning context within which waste treatment and disposal facilities can be delivered in order to achieve net self-sufficiency in Berkshire.
- **Objective I** – To facilitate regional self-sufficiency, including where this may require facilities in Berkshire to manage or dispose of more waste than equivalent to that which arises in the Berkshire area, where this is shown to be the most sustainable option;
- **Objective J** – To encourage waste treatment higher up the waste hierarchy and specifically an increase in re-use, recycling and recovery of materials, and energy recovery, while minimising the quantities of residual waste requiring final disposal;
- **Objective K** – To locate waste management facilities in order to reduce the distances by road that waste is transported for management and disposal, and to encourage alternative forms of transport where these are more sustainable;
- **Objective L** – To safeguard existing waste management facilities which are appropriately located from loss or unnecessary operational constraint as a result of competing forms of development;

### **Summary of responses**

- *A total of 7 respondents made 11 comments relating to the objectives, generally it was agreed that objectives are important to understand how the vision should be delivered.*
- *Suggested changes were that the Objectives should be as SMART and locationally specific as possible; that the waste objectives should aim to avoid or minimise environmental damage; that social and economic impacts should be recognised; that the quality of the entire community should be protected, not just that of residents; and that there should be changes to the references to net self sufficiency.*
- *Criticisms were that objectives did not adequately reflect the degree of need for new waste management facilities, did not mention specific current initiatives, and did not make specific reference to development pressures. Other respondents were concerned about the wording of the objective about safeguarding, and about the provision of a steady and adequate supply of aggregates*

### **JSPU Response**

In the Core Strategy Submission Draft, the objectives are merged into one set of objectives, rather than being split. Many of the comments were addressed through this process, however it was not felt appropriate that the objectives should incorporate detailed points, and that these were best addressed elsewhere.

The revised objectives focus on the aspects of minerals policy considered most appropriate within the Berkshire context, reflecting the densely populated nature of the county and the need to ensure that demands on land and mineral resources are closely managed within the context of the overall vision for the Plan.

### 3. Policy M1 Minerals Safeguarding Areas

Minerals are a valuable but limited resource that can only be won where they naturally occur. Government policy in MPS1 is that planning authorities should make every effort to safeguard mineral deposits that are or may become of economic importance from sterilisation from other types of development which would preclude their possible extraction at some future date. Mineral Safeguarding Areas should be defined in DPDs.

The deposits of sand and gravel in Berkshire are widespread, but not deep. So it is particularly important to have a firm framework for the safeguarding of mineral resources, which are or could be of potential importance. The policy approach adopted also needs to take account of the level of development pressures in this urbanised county.

The policy approach sought in the Core Strategy does not necessarily mean that other forms of development may not take place where mineral deposits occur, but it does provide a means of balancing the relative importance of the surface development and the underlying mineral, and where possible finding a means to facilitate prior extraction where to environmentally acceptable, with provision for projects demonstrated as being of overriding importance to proceed.

#### **Preferred Policy Approach M1 – Minerals Safeguarding Areas**

**Mineral Safeguarding Areas will be defined for deposits of sand and gravel, which are or may become of economic importance, and around active mineral workings. Within Mineral Safeguarding Areas, planning permission will not be granted for any non mineral development proposals which would adversely affect the viability of exploiting a mineral resource or would be incompatible with an existing or future mineral activity except where it can be demonstrated that**

- **the mineral deposit is of no commercial value, and unlikely to be so in future, or**
- **the mineral can be extracted satisfactorily prior to the non mineral development proceeding; or**
- **the non mineral development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or**
- **having regard to all relevant planning considerations there is an overriding case for allowing the development to proceed.**

### **Summary of responses**

- *A total of 10 respondents made 12 comments relating to the policy on Minerals Safeguarding Areas*
- *There was general support for the basic formula of safeguarding minerals but having criteria for exceptions to allow surface development to take place where justified. It was pointed out that the MSAs should be shown on the Key Diagram, and that they were particularly important for the sites identified as potential Preferred Areas. In addition, the clarification that there was no presumption in favour of mineral working in MSAs was welcomed. However two types of reservations were expressed.*
- *The first reservation was about the proposed extent of the MSAs. The view was expressed that MSAs should only be defined in places where there was clear evidence of significant deposits of economically viable mineral. It was thought that a widespread definition of safeguarding areas would place a high and unnecessary burden on landowners, because it would encompass deposits where extraction would not be viable, and might even include places where there were no deposits. It was also pointed out that places where minerals had already been extracted should be excluded.*
- *The other type of reservation was about the circumstances and restrictions under which surface development might be permitted to proceed within MSAs. It was felt that there should be more indication of the relative importance of the various criteria in the policy. Another responded requested clarification of the extent of extraction that might be considered satisfactory in criteria 2, and that a balance needed to be struck to prevent the prior extraction from rendering the site incapable of development.*
- *A further respondent suggested changes to the final criterion in the policy*

### **JSPU Response**

In response to the comments about the extent of MSAs and the viability and practicality of working, there are a number of considerations which need to be explained. First the proposed extent of the MSAs is not based on the geological map of Berkshire; instead it is based on the Mineral Resource maps prepared by the BGS commissioned by the Government in support of national, regional and local planning policies. The production of these maps involves a staged assessment of the mineral potential in each county in England. For some counties, including Berkshire, the assessments have been informed by more detailed work.

Within the defined MSA area, Policy M1 seeks to highlight the presence of sand and gravel deposits below the surface. Where surface development cannot reasonably be moved to another site, it seeks to promote the efficient use of a limited natural resource by requiring applicants to investigate the possibility of extracting the sand and gravel in conjunction with the possible surface development taking place. Extraction under these circumstances would be subject to different economic constraints from extraction as a free standing quarry, and therefore typical viability tests would underestimate the extent of the sand and gravel resource in the county as well as being beyond the limits of reasonably accessible information.

It is not intended therefore to alter the proposed extent of MSAs in response to the comments on viability. The issue will be reflected in the procedure for application of

the safeguarding policy in the MWDPD, through definition of the locations and types of development to which policy will apply. Where the mineral has already been worked out, it will be sufficient for developers to confirm this.

With regard to the criteria under which surface development might proceed; the purpose of the MSAs is to highlight where deposits of mineral exist so that the relative importance of this can be weighed against any proposed surface development at the application stage. It is not considered appropriate, or possible to make the judgement at the plan stage. Nevertheless, it is agreed that the requirement for 'satisfactory' extraction is not sufficiently clear and the wording of this criterion will be altered.

It was not considered that the changes suggested to the final criterion in the policy added anything to the thrust of the policy. NO change was proposed in response to this response.

## 4. Policy M2 Apportionment rate

This policy is part of the approach to managing the supply of minerals. 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 and for the economy generally.

The rate of supply is called an 'apportionment' and is set out in national and regional guidance. The current rate for Berkshire is 1.57 m tonnes per year over the period to 2016. Both these policy documents are under review to roll them forward to a longer time span. The policy therefore needs to include provision for changes to the apportionment rate.

### Preferred Policy Approach M2 – Apportionment Rate

**Subject to the outcome of any future reviews of national or regional policy guidance, the Berkshire Minerals Core Strategy will make provision for the release of land to allow production of sand and gravel in Berkshire to be maintained at an average level of 1.57 million tonnes a year.**

#### Summary of responses

- *A total of 3 respondents made 4 comments relating to the policy on the apportionment rate*
- *There was support for the proposed approach which was seen as combining certainty and flexibility through the reference to the average level of production, and the clause about possible changes due to reviews at National and Regional level.*
- *Some concern was expressed that the policy was aimed too much at providing for the construction industry alone and not recognising the needs of wider economy. Another respondent pointed out that the supply of minerals required the submission and granting of planning permissions to be fully realised.*

#### JSPU Response

The issues will be dealt with in the supporting text or elsewhere in the core strategy. Some of the points raised have already been covered. It is considered that the points raised do not justify any change to the wording of Policy M2.

Policy M2 is merged with Policy M3 in the Core Strategy Submission Draft.

## 5 Policy M3 Landbank

The landbank concept is another important element in the strategy to ensure an adequate and steady supply of minerals. 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 rate of supply being the apportionment rate as described above.

The requirement in MPS1 is that Minerals Planning Authorities should ensure that sufficient resources are identified to maintain the landbank at the minimum level throughout the plan period, provided sufficient acceptable sites are known, including a commitment that the landbank can be maintained at the end of the plan period. The landbank requirement for aggregate sand and gravel is at least seven years supply, unless exceptional circumstances prevail.

The Preferred Policy Approach in M3 makes the commitment to provide for a landbank to be maintained through identifying Preferred Areas and Areas of Search.

### Preferred Policy Approach M3 - Landbank

**The Berkshire Minerals Core Strategy will provide for the maintenance of a stock of planning permissions in Berkshire (a landbank) sufficient for at least 7 years' supply of sand and gravel in accordance with the provisions of Preferred Policy Approach M2. This will be done by identifying Preferred Areas for the extraction of sharp sand and gravel and Areas of Search for the extraction of soft sand suitable for use as building sand.**

### Summary of responses

- *A total of 4 respondents made 5 comments relating to the policy on the Landbank.*
- *Two of the respondents supported the policy approach, but one of them questioned the reference to the identification of Preferred Areas and Areas of Search, as it was considered inappropriate to make references to locations in the policy. It was suggested that the last sentence in the policy should be deleted.*
- *The other two respondents raised similar issues in relation to M3 as they had raised to M2; namely that the policy was aimed too much at providing for the construction industry alone and not recognising the needs of wider economy; and that the maintenance of the landbank requires more than the identification of Preferred Areas and Areas of Search, it also needs planning applications to be submitted and planning permissions granted.*
- *A further comment requested clarification of the relative position when the landbank was under or over 7 years.*
- *One of the respondents pointed out that MPS1 advised that a 25 year landbank was required for supplies to a manufacturing plant representing significant investment. It was suggested that special provision should be made for this in the policy, even though the supplies were sand aggregate rather than clay.*

## **JSPU Response**

The point about the reference to identification of Preferred Areas and Areas of Search in the text of the policy is accepted, and will be moved to the supporting text.

It is not considered that the issues about addressing the wider economy, the role of planning permissions and clarification on the position in relation to the length of the landbank justify any change to the wording of Policy approach M3. They will be dealt with in the supporting text or elsewhere in the Core Strategy. Some have already been covered.

Policy M2 is merged with Policy M3 in the Core Strategy Submission Draft.

The issue of making provision for supplies to the tile manufacturing plant is dealt with elsewhere. It was not considered appropriate to accommodate this in the revised landbank policy.

## 6. Policy M4 Preferred Areas

MPS1 advises that provision for the landbank should be made by identifying the most sustainable locations where mineral extraction is likely to take place. This can be done by identifying Preferred Areas for future working where mineral resources are known to exist, together with Areas of Search, where information about mineral deposits is less certain.

There is a good level of information about the extent and quality of the deposits of sharp sand and gravel in Berkshire, so the Core Strategy proposed the definition of Preferred Areas to show where future extraction of sharp sand and gravel is considered most acceptable.

Within the identified Preferred Areas, there will be a presumption that these areas are suitable for the extraction of sand and gravel, subject to consideration of the detailed proposals against the development control policies and site specific requirements to be provided in the Minerals and Waste DPD. This was expressed in Preferred Policy Approach M4.

### Preferred Policy Approach M4 – Preferred Areas

**In the Preferred Areas defined in the Minerals and Waste DPD, there will be a presumption in favour of allowing applications for the extraction of sand and gravel provided the proposals meet the requirements of the development control policies and site specific requirements in the Minerals and Waste DPD.**

#### *Summary of responses*

- *A total of 4 respondents made 4 comments relating to the policy on Preferred Areas*
- *This policy was thought to provide positive advice, with a good level of certainty, consistent with the objectives of a plan led system. The wording of the policy was supported by 2 of the respondents.*
- *It was felt important to be clear in the definition of Preferred Areas and other types of areas identified in the Core Strategy*
- *One respondent suggested substituting the words 'granting permission' rather than allowing applications.*

#### **JSPU Response**

The comments in support of the policy are welcomed and attention will be given to the descriptions of the Preferred Areas in the Draft submission version. It is not considered that the suggested alteration to the text of the policy would alter the intention of the policy in any positive way.

## 7. Policy M5 – Applications for Sharp Sand and Gravel Outside Preferred Areas

Policy M5 complements Policy M4 and provides that proposals for the extraction of sharp sand and gravel outside Preferred Areas will be refused except in certain specified circumstances.

### Preferred Policy Approach M5 – Applications for Sharp Sand Outside Preferred Areas

Outside the Preferred Areas, applications for extraction of sharp sand and gravel will normally be refused. In considering whether or not to make an exception to this general presumption, account will be taken of

- Whether there is a need to disturb land outside the Preferred Areas in order to maintain provision for the levels of production set out in policy M4
- Whether that need could more acceptably be met elsewhere than on the application site, having particular regard to the policies contained in the Minerals and Waste DPD
- Whether the proposal is an extension of an existing operation and would result in significant net environmental benefits
- Whether resources would otherwise be sterilised.

### Summary of responses

- A total of 5 respondents made 6 comments relating to the policy on Applications for sharp sand and gravel outside Preferred Areas
- On the general phrasing of the policy one respondent thought that applications outside Preferred Areas should be permitted so long as there were no unacceptable environmental impacts. Another put forward an addition to the policy, explicitly stating that exception sites will also be subject to the development control policies of the Minerals and Waste DPD.
- 2 respondents' comments on the list of considerations which might indicate an exception to the presumption against permission being granted for extraction outside a Preferred Area. Suggestions were "whether there would be wider sustainability benefits associated with the development"; "whether the development could be operated as a satellite site to an existing site or other preferred area which would thereby minimise plant and infrastructure, and wider traffic/ amenity issues" and "the need to maintain a steady and adequate supply of minerals to the manufacturing industry". Further supporting text was suggested in relation to this last consideration including reference to the policy in the Annex to MPS1 on maintaining 25 years' supply of raw materials to factories manufacturing tiles
- A further respondent pointed out that given the policy approach in M5 it was important to ensure that the locations identified as Preferred Areas were genuinely deliverable, otherwise the primary consideration of whether sufficient resources remained in Preferred Areas would be meaningless.

Another respondent expressed concern that the presumption against mineral working outside Preferred Areas was too strong and might jeopardise the maintenance of the landbank throughout the plan period.

### **JSPU Response**

Whilst it is accepted that there should be scope for permission to be granted outside Preferred Areas in particular defined circumstances, it is not considered appropriate that this should be extended to all locations where there is unacceptable harm. The suggestion of an addition to the policy specifying that exceptions that were granted should be subject to the general development control policies is agreed.

On the list of considerations, the possibility of wider sustainability benefits was considered too vague; the possibility of a satellite site is covered in the bullet point about sterilisation. This will be clarified in the supporting text.

It was accepted that the need to maintain supply for processing plants manufacturing tiles was a valid further consideration to be included in the policy. This was supported in the annex to MPS1 and had also been recommended for local resolution at the EiP into the Regional Minerals Strategy.

The point about the deliverability of Preferred Areas was accepted, but did not indicate any alteration to the policy. This is already a consideration in the methodology for selection of Preferred Areas. The first criterion was considered to provide the required flexibility required for the maintenance of the landbank.

## 8. Policy M6 – Areas of Search

The deposits of soft sand containing material suitable for building sand occur within the Reading Formation, but are too variable to allow Preferred Areas to be defined.

At the time that the RMLP was being prepared, all active quarries where building sand was extracted were in the AONB, and there was insufficient information about the location of commercial deposits of building sand to enable Preferred Areas to be identified for extraction elsewhere. Therefore the approach adopted was to place an upper limit of 150,000 tonnes on the amount of building sand to be extracted from the AONB each year in the expectation that the balance of demand would be met from elsewhere. In the event, annual production has remained below the 150,000 tonnes limit, which means that all building sand is currently extracted from sites within the AONB.

The Core Strategy therefore seeks to find a way to focus future extraction of building sand to the deposits of soft sand outside the AONB. The Preferred Options version proposes policy approach of defining all deposits of soft sand in the Reading Formation outside AONBs as Areas of Search for building sand. Within these areas planning permission will be granted for extraction of building sand provided they meet the requirements in the development control policies concerning amenity and environmental protection, provision of infrastructure and restoration.

Deposits of soft sand within the AONB will not be defined as Areas of Search for building sand. Within the AONB further extraction of soft sand will only be permitted under extremely limited circumstances and after rigorous examination which includes consideration of alternatives. A specific policy for mineral proposals within AONBs will be included in the Minerals and Waste DPD.

There are sufficient reserves which already have planning permission inside the AONB to provide time for alternative possible sources outside the AONB to be assessed. This policy approach was expressed in Policy M6

### **Preferred Policy Approach M6 – Areas of Search**

**Within the Areas of Search for building sand defined in the Minerals and Waste DPD, there will be a presumption in favour of allowing applications for the extraction of building sand provided the proposals meet the requirements of the development control policies and location specific requirements in the Minerals and Waste DPD.**

### **Summary of responses**

- *2 respondents commented on the policy on Areas of Search for building sand*
- *one respondent commented that it was important to be clear in the definition of Areas of Search and other types of areas identified in the Core Strategy and what coverage on each should be contained in the Core Strategy and what should be in the Minerals and Waste DPD.*
- *The other responded expressed concern at the intention not to identify any deposits of soft sand inside the AONB as Areas of Search, suggesting that the lack of soft sand quarries outside the AONB indicates that there are few suitable resources there, and supply will therefore not be maintained.*

## **JSPU Response**

It is agreed that the definition of Areas of Search needs to be clear. This will be checked in the subsequent versions of the Core Strategy and supporting documents, including in the Glossary.

It is not accepted that focusing Areas of Search outside the AONB will necessarily disrupt supply. The British Geological Survey estimates that there are 872 mt of soft sand outside environmental designated areas. The purpose of the policy is to alter the present pattern where all soft sand is extracted from within the AONB. The possibility of extraction of soft sand within the AONB will be provided for in a separate policy to be included in the MWDPD. The focus on deposits outside the AONB is a logical element of this policy approach. No change to the wording of the Policy on Areas of Search or the way that it is intended to work is proposed in response to this comment.

## 9. Policy M7 Processing of Recycled or Secondary Aggregate

It is national and regional policy to increase the use of recycled and secondary aggregates as substitutes for primary aggregates wherever possible, and specific targets are contained in the emerging South East Plan. Berkshire's target capacity is 0.7 mta by 2016.

Identifying suitable locations for the additional recycling facilities will be a challenging process. The RMLP policies sought to restrict the use of processing or manufacturing plant at mineral sites so they are only used for the processing of material extracted at the quarry where they are located. This was in order to control traffic movements that would be associated with the importation of materials from elsewhere for processing by plant at active mineral sites, and to ensure the removal of plant when the production of minerals ceases so that full site restoration can take place.

A similar approach was adopted for processing plant at rail depots used for the importation of minerals from outside the County, This is to limit the intensity of activity at rail depots, particularly from traffic levels and actual processing rates.

The Core Strategy proposes a revision of these policies to allow for the location of plant for processing recycled and secondary aggregates at mineral sites and rail depots. This was expressed in Policy M7.

### **Preferred Policy Approach M7 – Processing of Recycled or Secondary Aggregate**

**Applications for the provision or use of plant at active mineral sites for the processing of recycled or secondary aggregates will be permitted during the active life of the quarry, subject to the requirements of detailed development control considerations in the Minerals and Waste DPD. Regard will be given to the distances that materials need to be transported for processing and use, with preference to sites located closest to the intended sources and destinations.**

### **Summary of responses**

**A total of 3 respondents made 3 comments relating to the policy on Processing of Recycled or Secondary Aggregate**

- *Two of the respondents did not think that the policy went far enough in providing for the necessary growth in processing capacity for recycled and secondary aggregates. It was suggested that the policy should embrace all possible locations and also should include a commitment to meet the target figure in the emerging South East Plan, and include further detail in the MWDPD on monitoring implementation.*
- *The other respondent requested changes to the policy to permit continuation of processing at a quarry site after extraction had finished.*

## **JSPU Response**

It is accepted that the policy needs to be wider in scope and include a commitment to the target capacity figure. Changes will be made in the Submission Draft Core Strategy. The revised policy wording in the submission draft Core Strategy does not make any distinction between active or worked out quarries, instead it introduces the Waste Primary Area of Search. In this way each possibility is made the subject of separate consideration, to be addressed through the development control policies in the MWDPD.

## 10. Policies M8 and M9– Provision and safeguarding of Rail Depots

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.

Suitable sites for establishing rail depots are difficult to find because of the demanding criteria that need to be fulfilled. The Preferred Options Core Strategy proposed a policy that new rail depots for importing aggregates should be supported, subject to environmental controls. Along side this was a policy to safeguard the existing rail depots at Theale and Colnbrook.

### Preferred Policy Approach M8 – Rail Depots

**Proposals for new rail depots for importing aggregates from outside Berkshire and the improvement of facilities for this purpose at existing depots will be supported, subject to meeting detailed development control considerations set out in the Minerals and Waste DPD and, where appropriate, the need for the capacity provided.**

### Preferred Policy Approach M9

#### Proposals for

- the redevelopment of existing rail depot sites at Theale and Colnbrook
- any other safeguarded sites which would prejudice their use as rail depots for the importation and processing of rail borne aggregates will not be permitted.

### **Summary of responses**

- *A total of 3 respondents made comments on the policies on rail depots*
- *The first was that a more comprehensive policy approach should be adopted addressing all aspects of the transportation of minerals, not just rail depots.*
- *Another respondent welcomed the proposal to safeguard existing rail depots and support the development of new facilities as required.*
- *The final comment was that reliance on imported materials should be reduced.*

## **JSPU Response**

It is accepted that a wider approach to the transportation of minerals should be embraced. Accordingly the Submission Draft Core Strategy will include an amended policy on transportation of minerals by all modes, and making provision for improvements, particularly that which would facilitate non-road transportation.

Existing depots will continue to be safeguarded, but identification and safeguarding of sites for new depots will be subject to the outcome of a region-wide study of the need and capacity for these facilities over the plan period.

The issue of reliance in imported materials is accepted. This is already being addressed through the policies for use of recycled and secondary aggregates.

## 11. Policy M10 – Borrow Pits

Borrow pits' are temporary mineral workings opened locally to supply material for a specific construction project, normally a large project where a substantial amount of aggregate needs to be supplied over a relatively short period. Examples are road building schemes or the construction of a reservoir. In most cases it is preferable to open up a borrow pit close to the project site to ensure the availability of the necessary supplies and to avoid the need to import material by lorry.

The policy on borrow pits provides a measure of flexibility in the sourcing of aggregates for specific major construction projects where a high level of demand for aggregates is generated over a relatively short period. Specific wording seeks to temper this flexibility with environmental controls

### Preferred Policy Approach M10 – Borrow Pits

Outside the Preferred Areas, proposals for borrow pits to serve major construction projects will be acceptable provided:-

- material from the pit is only used in connection with the specific project with which it is associated
- extraction from the site will cause less environmental damage than would result from using material from an established source of supply, or the local planning authority is satisfied that none of the Preferred Areas identified in the plan is able to meet the particular needs of the project
- the pit is sited and operated so as to minimise environmental damage
- provision is made for the prompt restoration of the pit following extraction, preferably using only materials from elsewhere on the construction site, and
- the location and operation of the pit have full regard to the development control issues in the Minerals and Waste DPD.

### Summary of responses

- *One respondent commented on the policy on Borrow Pits*
- *The comment was that generally borrow pits should be encouraged because they take pressure off Preferred areas and add to the supply of minerals by using resources close to the specific project for which they are developed that would otherwise be unviable.*
- *The need to restrict them to just major projects was questioned, and*

### JSPU Response

It is agreed that there is no specific need to restrict borrow pits to major projects. The main criterion is that they should be project specific and this is already provided for in the wording of the policy.

The text will be altered to make reference to releasing otherwise unviable resources.

## 12. Policy M11 – Chalk, Clay and Other Minerals

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.

The geological outcrops of chalk and clay in Berkshire are fairly extensive, but the demand for new workings is very limited and there is no requirement to maintain a landbank for these minerals except where clay is used for brick and tile manufacture.

At present any clay extracted in Berkshire is mainly where it is encountered in conjunction with sand and gravel deposits, and is only used in landfill sites; accordingly no proposals are made in the Plan as to where future extraction may take place.

The proposed policy approach in the Core Strategy is to ensure that the extraction of chalk, clay or other minerals is justified and subject to detailed development control considerations. The Preferred Options version of the policy was M11.

### Preferred Policy Approach M11 – Chalk, Clay and Other Minerals

**Proposals for the extraction of chalk and clay, or of other non energy minerals not at present worked in Berkshire will normally be permitted provided**

- **The minerals are demonstrated to be required to meet a specific local need which cannot be met from existing permitted sites or by secondary and recycled aggregates; and**
- **The proposals for the working of the mineral meet the detailed development control considerations set out in the Minerals and Waste DPD.**

### Summary of responses

- *2 respondents made comments on the policy for Chalk, Clay and other minerals*
- *A general point was that the policy for these minerals should be treated within the overall spatial context for Berkshire.*
- *A detailed comment wondered whether there was scope for use of clay in conservation projects on historic buildings.*
- *The other detailed comment suggested that sand supplies specifically for the manufacture of tiles in Berkshire should be treated under a more wide ranging policy for other minerals.*

### JSPU Response

It is considered that the policy approach for chalk, clay and other minerals is appropriate in view of the low level of activity in extraction of these minerals in Berkshire. Advice is sought on the scope for conservation use. Provision for supplies of sand for tiling purposes has been made elsewhere.

Accordingly no changes to the policy are proposed in response to these comments. The policy has been slightly revised to clarify that it relates to non-energy minerals.

## 13. Policy M12 – Oil and Gas

There are no known commercial resources of oil and gas in Berkshire, although viable resources of oil and gas have been identified and are being worked in some neighbouring counties. The proposed Core Strategy approach to the possible exploitation of oil and gas resources is to allow exploratory drilling under controlled conditions, and to require that any commercial exploitation is fully justified in terms of balancing need against environmental and other considerations.

### Preferred Policy Approach M12 – Oil and Gas

Proposals relating to oil and gas will be determined in accordance with the following:-

- Proposals for exploratory drilling will normally be permitted subject to meeting detailed development control considerations set out in the Minerals and Waste DPD;
- Proposals for further drilling at the appraisal stage will be considered on their merits subject to meeting detailed development control considerations set out in the Minerals and Waste DPD, and with regard to the long term suitability of the site for commercial production and distribution, and the availability of alternative sources of oil and gas within the region
- Proposals for the commercial production of these minerals, or for the establishment of related plant, will be determined strictly on their merits in terms of the balance of need against environmental impact and subject to meeting detailed development control considerations set out in the Minerals and Waste DPD.

### Summary of responses

- *There were no comments on this aspect of the Core Strategy made at the Preferred Options stage.*

### JSPU Response

In the Submission Draft of the Core Strategy, the wording of the policy has been slightly revised to make it clearer, but the effect of the policy has not been changed.

## 14. Policy M13 – Restoration

The aggregate 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 area of extraction is more extensive 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.

The Preferred Options Core Strategy policy on Restoration sought to ensure that restoration issues are considered as an integral part of any mineral extraction operation and to realise the potential benefits of restoration.

### Preferred Policy Approach M13 - Restoration

**Proposals for mineral developments will be permitted only where satisfactory provision has been made for the restoration and after-use of the site. When considering applications for mineral development, environmental and other public benefits (including, where appropriate, recreational benefits) will be sought through:**

- **The restoration, aftercare and after-use of extraction sites; and**
- **The environmental conservation and enhancement of the wider surrounding area to which the proposed extraction relates,**
- **and the promotion of recreational opportunities within the area.**

### Summary of responses

- *A total of 7 respondents made 9 comments about the policy on Restoration*
- *The most commonly made comment was that the policy needs to be more positive in providing direction for restoration, and should also refer to after-care. Respondents said that the policy approach should seek positively to open up economic, spatial and environmental opportunities. In this last respect reference should be made to the Biodiversity Action Plans and Conservation Target Areas, also Landscape appraisals.*
- *Other respondents thought the policy included a presumption in favour of restoration to lakes and wanted this removed; suggested restoration to reservoirs as an alternative; or asked for a presumption in favour of the former use unless this was impractical.*

### JSPU Response

It is agreed that the policy could be more positive in its scope and detail. Accordingly the wording has been revised in the submission Draft version of the Core Strategy. Attention has been given to the suggestions made on the consideration that should guide restoration proposals. It was not considered appropriate however to include a presumption in favour of the former use. Use of worked out quarries as reservoirs is not practical for a number of reasons.

## 15. Policy W1 – Waste Self Sufficiency

Achieving net self-sufficiency in waste management and disposal capacity for waste in Berkshire requires provision of waste treatment and disposal capacity at least equivalent to the forecast scale of arisings.

While the Unitary Authorities in Berkshire are each individual waste planning authorities, planning for self-sufficiency in providing waste management and disposal capacity is undertaken at the Berkshire-wide level. This is because the individual authority areas are too small for strategic spatial and economic aspects to be addressed effectively.

An important issue in preparing the Core Strategy has been whether in seeking net self sufficiency for Berkshire's waste provision should be made for a proportion of waste arising in London and if so to what extent. There will remain significant quantities of waste exported from London, for both treatment and disposal in the short to medium term, and there will always be a certain amount of residual waste exported from the capital that will require landfilling. The emerging South East Plan has apportioned an amount of London's waste to each of the county areas in the South East. Berkshire's recommended apportionment in the proposed amendments to the RSS published in August 2008 is 9.3% (1.12 million tonnes) for the period 2006-2015 and 8.6% (0.63 million tonnes) 2016-2026.

A particular issue for Berkshire, in common with other counties in the South East Region, is that existing non-hazardous landfill capacity is very limited, capacity is dwindling, and the prospects for delivering new capacity quickly are uncertain. As a result the Core Strategy position has been that it will be necessary to provide new disposal capacity before 2016 in order to accommodate the proposed allocation of waste from London. Beyond 2016 the position should be that Berkshire can deliver disposal capacity equivalent to its sub-regional apportionment of London's residual waste.

### **Preferred Policy Approach W1 – Waste Self-sufficiency**

**The Waste Core Strategy will facilitate the provision of waste management capacity equivalent to the amount of waste arising and requiring management within the collective area of the six Unitary Authorities and to make an appropriate contribution, after 2016, in line with the apportionment defined in the Regional Spatial Strategy, to meeting the residual waste management needs of London.**

#### ***Summary of responses***

- *A total of 5 respondents made comments on waste self-sufficiency.*
- *The need for the Core Strategy to include quantitative commitments and figures for waste management capacity was emphasised.*
- *The transboundary nature of waste management was noted.*

- *The need to reduce the amount of London's waste coming into Berkshire at source was highlighted.*
- *In line with the Regional Waste Strategy, Preferred Policy Approach W1 should be strengthened to cover the entire plan period to 2026 and not just the period after 2016 with regards to meeting London's residual waste needs.*
- *The Core Strategy should make reference to sewage sludge and the possibility that in the future it might need to be disposed of by landfill or incineration should legislation change.*

## **JSPU Response**

Policy W1 has been revised for the Core Strategy Submission Draft and detail added to clarify the capacity requirements that need to be delivered, by reference to the policies of the emerging South East Plan. Similarly, the reference to provision of capacity for a proportion of London's waste after 2016 has been removed and reference instead made to South East Plan policy. The policy supporting text explicitly recognises that waste will continue to be imported to and exported from Berkshire for treatment and disposal. No change has been made in response to the comment on the need to reduce waste arisings in London as this is outwith the scope of the Core Strategy.

## 16. Policy W2 – Waste Management Targets

Assumptions about the commitment to, and success in, achieving targets set for the amounts and types of waste needing to be processed and disposed of are central to the planning for facilities.

In order to meet the recycling and recovery targets in the Berkshire area there will need to be a range of waste management facilities provided to manage and treat waste and recyclable materials, to recover energy from waste and ultimately to dispose of the residual waste that cannot be used beneficially. Given the scale of increases over current performance needed to achieve England Waste Strategy targets, and the Unitary Authorities' aim to exceed the targets, significantly increased capacity is needed for processes higher up the waste hierarchy.

While the scale of annual landfill capacity required will reduce over time, as discussed earlier, current landfill capacity in Berkshire is forecast to be used up by 2015 at the latest. New management and disposal capacity will need to be delivered through a combination of expansion or intensified activity at existing facilities, and the development of new facilities.

### Preferred Policy Approach W2 – Targets

**The Waste Core Strategy policy approach is that waste management and disposal capacity will be provided in the Berkshire area sufficient to meet or exceed the targets set out in RPG9. The level of provision required will be reviewed annually against the available capacity in Berkshire.**

#### *Summary of responses*

- *A total of 8 comments were made with regard to waste management targets.*
- *The policy wording was not felt to be sufficiently flexible to deal with changing circumstances, as reference to RPG9 is made which is soon to be replaced by the South East Plan.*
- *More clarity was considered to be necessary to demonstrate how the regional targets for waste recycling and composting will be met through the delivery of sufficient waste management capacity.*
- *The overall approach of seeking to meet or exceed targets for waste management capacity was supported.*

#### **JSPU Response**

Policy W2 has been amended for the Core Strategy Submission Draft to incorporate the waste management capacity requirements set out in the emerging South East Plan, and the reference to RPG9 has been removed.

## 17. Policy W3 – Spatial Distribution

The Core Strategy objectives include the need to reduce ‘waste miles’ or the distances waste is transported from where it arises to processing facilities and then to disposal. The main way in which the Core Strategy can influence this is in determining how waste facilities should be distributed within Berkshire. This is an important aspect of the spatial strategy for waste and underpins the overall approach to planning for waste management and disposal capacity.

There are a number of factors that need to be considered in determining the spatial approach including the geography of the main sources of waste arisings, the different waste streams present, the technical and economic factors affecting the viability of facilities, the transport network, and the high level planning and environmental constraints that affect significant parts of Berkshire both in the east and the west.

The approach to planning the distribution of facilities also needs to respond to the characteristics of different waste streams needing management. For example, facilities which are likely to be delivered primarily by the private sector, such as for C&I waste may be most viable as a small number of larger facilities focused on the main urban areas. MSW, however, is more likely to require a broader distribution of smaller facilities responding to the distribution of population, particularly for the community facilities and for the bulking and transfer of waste, but accompanied by a number of large facilities for processing and disposal. C&D recovery and recycling facilities are also more likely to be delivered at relatively small scale and in numbers scattered to meet market demand, although some may also be sited as part of other waste facilities, or at current and former minerals workings.

### **Preferred Policy Approach W3 – The Spatial Distribution of Waste Facilities**

**The preferred policy approach is to allow for flexibility in the distribution of new and expanded waste management facilities having regard to proximity to the sources of arisings which facilities are to serve. In practice this will place an emphasis on more centralised facilities in urban locations in the east of Berkshire and a more extensive pattern of transfer and treatment facilities in the west, in both cases making use of urban or previously developed sites where available.**

#### ***Summary of responses***

- *A total of 7 comments were made with regard to the spatial distribution of waste management facilities.*
- *The need for contingency in the case of proposed sites not coming forward was highlighted. It was suggested that where more than one site is proposed for a particular technology, should that technology be developed on one site, it should be made clear that the other sites may not be required for this technology*
- *There should be sufficient flexibility to allow sites in addition to preferred areas to come forward. Sites should be in the most suitable location for*

*waste development and not restricted to previously developed land or urban areas. This particularly applies to sewage treatment works.*

- *Constraints to new waste management facilities within urban areas, such as amenity, noise and traffic impacts should be acknowledged.*
- *The policy should refer to the need to reduce waste arisings at source.*
- *It should be clarified that existing waste management sites, including landfill sites, also constitute “previously developed sites” for the purposes of potential beneficial and sustainable co-location of recycling/treatment and disposal facilities.*

## **JSPU Response**

The Core Strategy Submission Draft provides a fully revised Policy W3 which addresses the spatial dimension through reference to the Core Strategy Key Diagram. No change has been made in response to the contingency comment as it is felt that this is more appropriate as a detailed matter to be addressed through the MWDPD.

The policy wording has also been adjusted to acknowledge better the relationship of sizes and types of facility to arisings, and to give emphasis to the Core Strategy spatial approach as opposed to urban areas and previously developed land. The supporting text has been amended at paragraph 4.27 to refer to the constraints on delivering facilities within urban areas.

No change has been made to Policy W3 in respect of sewage treatment works, but Core Strategy Submission Draft policy W7 now makes specific reference to this type of facility. No change has been made reference reducing arisings at source as this is not a land use or spatial issue that the Core Strategy has significant influence over.

## 18. Policy W4 – Transfer of Waste

As noted with reference to Policy W3, the Core Strategy approach is to minimise the distance over which waste is transported for treatment and disposal. It is recognised that some wastes need to be transported further for specialist treatment. Transport by rail or water may also mean waste can be transported further sustainably, and opportunities to utilise alternative modes efficiently will be encouraged.

### Preferred Policy Approach W4 – The Transfer of Waste

**The preferred policy approach is that in bringing forward new waste treatment and disposal capacity the net distances over which waste is transferred will be reduced. This will be measured in tonnes/miles/trips. Opportunities for non-road-borne modes of transport will be encouraged and in these cases the distance of waste transfers will be of lower priority.**

#### **Summary of responses**

- *A total of 6 comments were made on the transfer of waste.*
- *It was considered that more locally distinctive, non car-borne means of transport that could be utilised for transporting waste should be identified to avoid simply repeating regional guidelines.*
- *Reference should be made to the need to reduce waste arisings at source.*
- *In comments objecting to the preferred policy, it was felt that the policy would have little influence in the distribution of waste facilities and could restrict the provision of new waste management facilities coming forward.*
- *It was felt that weight per trip length could not be measured and should therefore not be included as part of the policy.*

#### **JSPU Response**

Further detail on potential opportunities for non-road modes of transport is provided in the MWDPD. It is not considered feasible to identify realistic and feasible locally distinctive non-car modes of transport for inclusion in the Core Strategy since these will depend on local circumstances. Where these can be identified they will be presented in the MWDPD; no change to the Core Strategy Submission Draft made in response to this comment. No change has been made reference reducing arisings at source as this is not a land use or spatial issue that the Core Strategy has significant influence over.

It is not agreed that the policy would impede the delivery of new facilities. Reduction in waste miles is a Core Strategy objective which this policy articulates, however the policy has been adjusted for inclusion in the Core Strategy Submission Draft to make it more relevant to the determination of planning applications.

It is agreed that the suggested waste tonnes/miles/trips would prove difficult to monitor and the Core Strategy Submission Draft Policy W4 has been amended to refer only to the need to reduce 'waste miles' as an overall principle for new and expanded waste management facilities.

## 19. Policy W5 – Delivery of Waste Management Facilities

Part of the Core Strategy objectives is to create the most appropriate policy context within which new waste management development can be encouraged – while at the same ensuring the protection of other interests including the environment and quality of life.

The proposed approach recognises the constraints faced in securing delivery of new facilities including with regard to the way the waste management industry and market functions in providing facilities.

### **Preferred Policy Approach W5 – The Delivery of Waste Management Facilities**

**The preferred policy approach is that Preferred Areas will be identified which can deliver the type, scale and location of waste management and disposal capacity required. Preferred Areas will include both existing waste management facilities capable of extension, and new sites. The Preferred Areas will be complemented by a criteria based policy approach which will allow planning permission to be granted for waste management facilities at sites not identified for waste related uses in DPDs, where this is appropriate. Other than in the defined exceptional circumstances referred to in Policy W8, waste disposal capacity will only be delivered at Preferred Area sites.**

### **Summary of responses**

- *11 comments were made regarding the delivery of waste management facilities.*
- *Objections were raised to the policy on the basis that the criteria mentioned in the policy needed to be stated in order to fully evaluate the effectiveness of the policy.*
- *It was felt the policy needed to be rewritten for clarity in order that unsuitable sites in urban areas are not brought forward and recycling is encouraged at source.*
- *Clarity was also needed in respect of defining Preferred Areas and the policy unnecessarily restates PPS10.*
- *It was felt that if adequate environmental and amenity policies were in place there would be no need to restrict the type of use at specific sites. Also, listing potential uses for sites was considered confusing.*
- *A specific policy on waste water treatment would have been welcomed.*
- *It is not clear how waste management capacity targets will be addressed through this policy.*

## **JSPU Response**

It is not agreed that the criteria for permitting facilities outside the Preferred Areas need to be presented in the Core Strategy; these will be presented in MWDPD. Similarly it is proposed that the MWDPD will provide the necessary policy protection to development at unsuitable locations through those criteria. It is considered that the policy is clear in its references to Preferred Areas. No change has been made in response to these comments. However, additional text is now included in the commentary text for Policy W5 (at paragraph 4.46) which further clarifies the need to take account of constraints when considering both Preferred Areas or other sites that might prove acceptable outside those areas.

With regard to waste management capacity targets Policy W2 of the Core Strategy Submission Draft now incorporates the waste management capacity requirements defined in the South East Plan and therefore Policy W5 does not need to incorporate this.

Specific reference is made to waste water treatment facilities Core Strategy Submission Draft Policy W7 dealing with specialist waste management facilities and therefore no change is needed in this regard to Policy W5.

## 20. Policy W6 – Waste Management Technologies

The Core Strategy approach to Preferred Areas is to define the types of impact, for example noise, traffic, landscape/visual that would be unacceptable (or beneficial), rather than to focus on particular technologies. The overall intention of the Core Strategy is to minimise constraints to waste treatment and disposal technologies. Wherever possible, Preferred Areas will be selected on the basis of having the fewest constraints in the context of the spatial strategy proposed.

The Core Strategy seeks a clear distinction between waste treatment and waste disposal technologies. Capacity needs for disposal of waste will decline over time as recycling and recovery accounts for a greater proportion of arisings, although there will remain a requirement for the foreseeable future. In order to avoid possible erosion of the drive to move waste management up the waste hierarchy it will be necessary to manage carefully the amount of new disposal capacity created, for example through incineration. In this regard proposals for waste disposal facilities and technologies will be carefully controlled.

### Preferred Policy Approach W6 – Waste Management Technologies

**The Core Strategy preferred policy approach is to plan for the delivery of sites without reference to specific technologies. The strategy recognises the need to deliver new capacity addressing recycling and recovery, composting, waste transfer, waste water treatment, and for residual waste, disposal capacity. In principle, Preferred Areas will be identified which can accommodate the widest range of treatment activities possible. No distinction will be drawn between MSW and C&I wastes in the way that Preferred Areas are identified except where sites may be required for the specific purpose of delivering a Municipal Waste Management Strategy. Technologies for waste *disposal* will be considered as a matter separate from treatment, due to their influence on the waste hierarchy.**

### ***Summary of Responses***

- *6 comments were made on waste management technologies*
- *It was felt that the policy should be amended to take account of amenity issues such as noise and fumes to ensure waste management technologies are appropriate to an area.*
- *The general approach of the policy was supported but its application in the more detailed MWDPD was felt to be inconsistent and lacking in clarity.*
- *The flexibility to allow for a range of technologies on specific sites was welcomed.*

## **JSPU Response**

It was considered that the policy did not offer significant benefits and therefore has not been included in the Core Strategy Submission Draft. Instead the policy text has been used in the commentary text to Core Strategy Submission Draft Policy W5 – Delivery of Waste Management .

Comments relating to the MWDPD will be addressed through that document and no change to the Core Strategy is proposed as a result.

## 21. Policy W7 – ‘Need’ for New Waste Management Facilities

The Core Strategy takes the view that need is not a primary consideration since over-provision of waste recycling and other treatment capacity is unlikely due to market forces and more, rather than less, capacity is in-principle to be encouraged.

However, it is important that the new waste management capacity delivered provides treatment as far up the waste hierarchy as possible, while recognising that provision is required at all stages of the hierarchy. Where proposals for waste disposal facilities (as opposed to waste treatment) are submitted outside the Preferred Areas it is important to avoid over-provision of waste disposal capacity that could otherwise undermine the delivery of the Core Strategy objective to move waste as far up the waste hierarchy as possible.

Proposals for waste management (not disposal) facilities should not require need to be demonstrated other than where a proposal is made on a site outside a Preferred Area, and which has the potential to prejudice achievement of the aims of the Core Strategy.

### Preferred Policy Approach W7 – Need

The Core Strategy preferred policy approach is that:

- **Proposals for waste treatment facilities on Preferred Areas will not be required to demonstrate capacity need;**
- **Proposals for treatment facilities outside Preferred Areas will only be required to show capacity need where they have the potential to prejudice Core Strategy aims;**
- **Proposals for waste disposal facilities on those Preferred Areas where disposal is defined as acceptable will not be required to show need;**
- **In all other instances proposals for waste disposal capacity must demonstrate a need for the capacity proposed, and demonstrate that this will not prejudice the objective of moving waste management up the waste hierarchy.**

### *Summary of responses*

- *4 comments were made on the policy relating to need*
- *It was suggested that where inert waste would be used as restoration material, the requirement to show need should not apply*
- *Capacity in Preferred Areas needs to be mentioned in order for waste development proposals to come forward. In proposals other than those on Preferred Areas, need for capacity over and above that proposed for Preferred Areas should be demonstrated.*
- *The requirement to demonstrate capacity need for proposals outside Preferred Areas where these would compromise core strategy aims was*

*felt to be ambiguous. The over provision of waste facilities was believed to be unlikely.*

### **JSPU Response**

It is agreed that use of inert material for restoration requires reference. The wording of Policy CS26W7 has been adjusted and is now presented as Policy W6 of the Core Strategy Submission Draft, adjusted to include reference to restoration.

It is agreed that capacity issues need more detailed reference and clarity and the wording of Policy CS26W7 has been adjusted accordingly and is now presented as Policy W6 of the Core Strategy Submission Draft. These changes also address the concerns about the potential ambiguity in relation to proposals outside the Preferred Areas.

## 22. Policy W8 – Commercial and Industrial, and Construction and Demolition Waste Management

The Core Strategy preparation has considered whether C&I and C&D waste should be subject to a specific set of policies to reflect that fact that the waste collection and treatment market and processes for these streams is quite different to that which applies to MSW.

### **Preferred Policy Approach W8 – Planning for Commercial and Industrial, and Construction and Demolition, Waste Management**

**The Core Strategy preferred policy approach is that there will be no strategic distinction in the approach to planning for waste treatment facilities between MSW, C&I and C&D waste. Where appropriate, opportunities for combined treatment and disposal of these wastes will be sought and this will be reflected in the identification of Preferred Areas. Landfill for residual C&D waste will be planned for distinct from disposal for MSW and C&I wastes, in the form of inert landfill.**

#### ***Summary of responses***

- *6 comments were made on the policy relating to planning for C&I and C&D waste.*
- *An objection was raised with regard to the proposed similar approach to MSW, C&I and C&D waste as the value, treatment and residual product of each of these waste types is quite different. It was felt that C&D waste should be given greater consideration.*
- *Support for the proposed approach was given.*
- *Policy should include retention of existing facilities which are currently operating on temporary permissions*
- *The policy was considered to read more as a statement than a policy approach*

#### **JSPU Response**

It is agreed that the policy is a statement rather than a policy approach. Policy CS26W8 deleted and replaced by commentary text (paragraphs 4.68 to 4.74).

It is not agreed that separate policies are needed for the different streams referred to and therefore the policy has not been replaced and the issues are dealt with through Policies W2 and W5 of the Core Strategy Submission Draft.

It is not agreed that a policy should seek to make temporary permissions permanent. Many sites will be operating on a temporary basis for very good reasons and therefore it is not appropriate to seek to make those permanent

## 23. Policy W9 – Planning for Specialist Waste Management Facilities

Types of hazardous waste, scrap metal, clinical and veterinary waste, agricultural waste and waste electrical and electronic equipment (WEEE) may all occur as part of municipal and/or C&I and even C&D wastes, but can require specialist management and disposal facilities.

Consistent with the proposed approach to MSW and other generic waste streams, the Core Strategy approach is that specialist waste facilities will be planned for as part of the overall approach to Waste Preferred Areas and criteria-based policy.

### **Preferred Policy Approach W9 – Planning for Specialist Waste Management Facilities**

**The Core Strategy preferred policy approach is that within a portfolio of Preferred Areas, opportunities for developing specialist waste management facilities, including for hazardous waste, will be identified equivalent to the capacity needed to meet those wastes arising in Berkshire.**

#### ***Summary of responses***

- *2 comments were made on the policy relating to Planning for Specialist Waste Management Facilities.*
- *It was felt that the policy lacked a spatial dimension*
- *It was felt that the policy read more as a statement than a policy and suggested that it should be reproduced as commentary text only.*

#### **JSPU Response**

It is agreed that the policy reads more like a statement, and the policy has been replaced by Policy W7 in the Core Strategy Submission Draft which provides improved policy definition. This policy has also been expanded to make specific reference to waste water treatment facilities that may be needed to support housing and economic growth in Berkshire. Beyond this reference it is not considered possible to provide a more detailed spatial dimension in the Core Strategy.

## 24. Policy W10 – Safeguarding Waste Management Facilities

Safeguarding of waste management facilities from competing land uses needs to be addressed within the Core Strategy as an important element in delivering the necessary capacity over the plan period.

Identification and delivery of sites for waste management and disposal is difficult. This is particularly so in locations such as Berkshire where the demand for developable land is very high and the availability of that land is strongly constrained. Safeguarding is therefore important in the same way that mineral resources need to be safeguarded from loss or sterilisation due to competing land uses.

### **Preferred Policy Approach W10 – Safeguarding of Waste Management Facilities**

**The preferred policy approach is that a list of appropriate existing facilities, sites with planning permission for waste management or disposal, and Preferred Areas, will be identified for safeguarding from loss to other forms of development. In exceptional cases loss of a given site may be permissible, where compensatory new capacity can be shown to be provided elsewhere within the same Unitary Authority area or in an equally accessible area, provided delivery of the facility can be assured.**

#### ***Summary of responses***

- *4 comments were made on the policy relating to Safeguarding Waste Management Facilities*
- *It was considered that the policy lacked a spatial dimension.*
- *It was felt facilities should be appropriately located in the context of the market area that is served or is intended to be served and the existence of Unitary Authority boundaries should not be a material consideration in determining the acceptability of sites proposed for waste management facilities.*
- *Sites should not be retained if they are unviable, or if more beneficial land uses are brought forward through the planning process Reference to viability and alternative development proposals should therefore be added to the circumstances in which site can be released for other uses.*
- *The safeguarding approach was welcomed as it was felt it would help ensure that waste management facilities are safeguarded from other competing uses.*

## **JSPU Response**

It is not considered that a spatial dimension can be given to this policy in the Core Strategy since it relates to protection of existing facilities and it is not proposed to allow the loss of facilities based on a spatial approach. No change is made in response to this comment, therefore.

It is agreed that a Unitary Authority based approach is too inflexible and the policy has been adjusted to refer to Berkshire, and renumbered as Policy W8 of the Core Strategy Submission Draft. The need to recognise circumstances where overall planning benefits may justify loss of a facility has also been incorporated in the revised policy.

## 25. Policy W11 – Waste Reduction and New Development

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.

The Core Strategy approach is to support and encourage policies which would provide waste recycling facilities as an integral part of all new development. Similarly, encouragement should be given to policies that can help reduce, through design and operational methods, the amount of construction and demolition waste arising from new development.

### Preferred Policy Approach W11 – Waste Reduction and New Development

**The Core Strategy preferred policy approach is that Local Development Documents should include policy requiring new development to provide facilities that encourage on-site waste separation and storage in order to maximise opportunities for waste recycling and recovery. Policy should be provided which requires redevelopment schemes to re-use demolition materials on site and where this is not possible, to process demolition materials so that they can be used beneficially elsewhere.**

### *Summary of responses*

- *3 comments were made on the policy relating to Waste Reduction and New Development*
- *It was felt that the Policy could be reworded to maintain the principle of maximising recovery and re-use, but also recognising that where this cannot be achieved at site, then the waste should be sent to an appropriate recycling facility.*
- *The need for a more holistic approach to waste management was suggested where waste reduction is considered as an integral part of the development of overall “sustainable living strategies”.*

### **JSPU Response**

The comments have been noted and the policy deleted and replaced by commentary text (paragraphs 4.84-4.87) encouraging LDDs to include appropriate policies seeking measures within new development to reduce waste.

## 26. General comments

A number of respondents made general comments on the overall content of the Preferred Options version of the Core Strategy, not specifically related to any policy issue.

The Key points raised were as follows:-

2026 was welcomed as the end date for the plan, although one respondent suggested that it should be 2021.

Some respondents thought the plan was not sufficiently robust in expressing the spatial context within which the plan was being prepared. The importance of setting the current position in Berkshire as a bench mark was emphasised, together with the role of the plan in setting a vision of where the county wanted to get to by 2026 and the means to achieve this.

Some commented on the importance of ensuring that the plan was based on a clear analysis of the Berkshire context: specific mention was made to cross boundary issues; Strategic Flood Risk Assessment; the Strategic Transport Assessment; transportation generally; the Appropriate Assessment; up-to-date policy guidance and the scale of ongoing development pressures.

The importance of the Key Diagram as a means to illustrate this spatial element of the plan was highlighted, as was the need for a clear expression of the relationship between the Core Strategy and the MWDPD

Of the more detailed comments:-

Two respondents suggested that there should be an overarching Biodiversity policy.

Another questioned the use of word 'balance' in the objectives and thought that the plan should seek to 'reconcile' differing considerations rather than balance them.

It was pointed out that the plan lacked sufficient measurable environmental indicators, and another respondent thought that the Core Strategy should make more reference to the historic environment.

In relation to constraints and impacts, the importance of transportation and groundwater as considerations influencing the plan proposals was pointed out, together with the risk to aviation from bird strike associated with landfill sites and with worked out quarries restored to shallow lakes with open water.

Five respondents expressed support for the Preferred Options version of the Core Strategy and a further two said they had no comment.

Most of these comments were regarded as helpful and changes have been made to the plan accordingly. Although the final version of the Appropriate Assessment is not publicly available, careful reference has been made to the draft version. It is not thought appropriate to include an overarching Biodiversity policy in the Core Strategy, because there is one in the emerging South East Plan.

Even though the aspiration that the plan should be able to 'reconcile' competing interests is appreciated, it is not thought realistic. The word 'balance' is widely used in National policy guidance and this is considered more appropriate.

In addition to these comments there were a number of responses pointing out factual inaccuracies, and other helpful suggestions to clarify the plan. These are appreciated and changes have been made as appropriate throughout the text.