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# West Berkshire Minerals and Waste Local Plan Proposed Submission Consultation – Supporting Information

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## 1. Introduction/Background

- 1.1 The West Berkshire Minerals and Waste Local Plan (MWLP) will replace the Replacement Minerals Local Plan for Berkshire (incorporating the alternations adopted in December 1997 and May 2001) and the Waste Local Plan for Berkshire (adopted 1998) and will provide an up to date planning framework for minerals and waste development in West Berkshire to 2036.
- 1.2 This is the first West Berkshire specific Minerals and Waste Local Plan. Minerals and waste planning has previously been carried out jointly for the whole of Berkshire, with this work coordinated by the now dissolved Joint Strategic Planning Unit.
- 1.3 The Proposed Submission MWLP sets out the Council's proposed planning framework for minerals and waste development in West Berkshire, based on the evidence collected, site assessment work and the outcomes of earlier consultations.
- 1.4 Consulting on the Proposed Submission version of the MWLP is a requirement under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and allows members of the public, landowners and developers the opportunity to comment on the proposed plan before it is submitted for independent examination.
- 1.5 It is proposed to consult on the Proposed Submission MWLP for six weeks between 20<sup>th</sup> January and 2<sup>nd</sup> March 2020. Following this, officers will prepare the Proposed Submission MWLP and supporting evidence for submission to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## 2. Development of the Minerals and Waste Local Plan

- 2.1 The process of developing the MWLP has already been through several stages of public consultation, starting with the Issues and Options consultation in early 2014, a sites consultation on all sites submitted for consideration in the MWLP in summer 2016, and consultation on the Preferred Options in spring 2017.

### ***Issues and Options***

The Issues and Options consultation in January/February 2014 set out the issues the Council believed were the key issues facing minerals and waste development in West Berkshire and invited comments and further issues to be raised. This consultation also formed the consultation on the scope of the plan, as required by Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

### **Sites Consultation**

- 2.2 The sites consultation took place between July and August 2016. This was a further period of consultation carried out on all the sites submitted to the Council as part of the “Call for Sites” in early 2014 and allowed members of the public and stakeholders to comment on the potential sites at a very early stage.

### **Preferred Options**

- 2.3 Consultation on the ‘Preferred Options’ version of the MWLP took place in May/June 2017. This document was informed by the outcomes of the previous consultations and allowed members of the public and stakeholders to comment on the policies and sites proposed to be included within the MWLP. These comments have then been taken into account in the drafting of the ‘Proposed Submission’ version of the MWLP.

### **Evidence Base**

- 2.4 A detailed evidence base has also been developed to support the development of the MWLP. The documents produced include:

- *Minerals Evidence (including the Local Aggregates Assessments, Minerals Evidence Paper, Soft Sand Study and Soft Sand Topic Paper)*. This sets out the minerals need and land bank requirements for the district, determining the quantity of construction aggregates that the MWLP needs to deliver.
- *Local Waste Assessment*. This sets out the quantity of waste arising and waste management capacity within the district. This has shown that the Council is able to achieve net self-sufficiency in waste management, and therefore, that there is no need for additional waste management capacity or new waste sites over the plan period.
- *Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) (including Site Assessment work)*. This considers the overall sustainability of the plan, specifically looking at the policies and sites considered.
- *Habitats Regulation Assessment (HRA)*. This considers the impacts that proposed minerals and waste development could have on internationally recognised habitats - Special Protection Areas and Special Areas of Conservation.
- *Strategic Flood Risk Assessment (SFRA)*. A new SFRA (2019) has been prepared to support both the Minerals and Waste Local Plan and the new Local Plan. This considers the flood risk across the district from all sources and allows this to be taken into account in terms of proposed development.
- *Landscape and Visual Assessment*. All sites have been assessed to determine their suitability for allocation in relation to landscape impacts.
- *Preliminary Ecological Appraisal*. All sites have been assessed to determine any ecological constraints and subsequent recommendations for mitigation and/or further survey.
- *Heritage Assessment*. All sites have been assessed to determine their potential impact upon the significance of heritage (including archaeological) assets, and requirements for further work to determine effects on significance and mitigation measures are set out.

- *Highways and Transport Topic Paper*. All sites have been assessed to determine the likely traffic impacts of the sites on the highway network.
- *Site Selection Methodology Paper*. This paper sets out the methodology used in assessing sites' suitability for allocation.
- *Equalities Impact Assessment (EqIA)*. This ensures that the plan will not impact negatively on those with protected characteristics.
- *Statement of Consultation*. This sets out all the stages of consultation that have been carried out in the production of the MWLP to date, and how these have been taken into account in the preparation of the MWLP.
- *Duty to Cooperate Statement*. This document sets out how the Council has complied with its statutory 'Duty to Cooperate' on strategic, cross boundary issues.
- *Glossary*. This is a comprehensive glossary document that relates to all documents produced in support of the MWLP.
- *Policies Map*. The policies map is a visual representation of the spatial policies in the MWLP.

- 2.5 Copies of all the evidence base documents will be available on the Council's website as background information to support the consultation available at [www.westberks.gov.uk/mwevidencebase](http://www.westberks.gov.uk/mwevidencebase).

### 3. The Proposed Submission Minerals and Waste Local Plan

- 3.1 Consultation on the Proposed Submission version of the plan provides members of the public, landowners and developers an opportunity to comment on the proposed MWLP before it is submitted for independent examination. The full Proposed Submission version of the plan can be found at Appendix D. Authorisation for the publication of the consultation on the Proposed Submission West Berkshire Minerals and Waste Local Plan needs to be formally ratified by Full Council.

#### ***Policy Development***

- 3.2 The Issues and Options consultation set out a number of topic areas considered to be the key issues relating to Minerals and Waste. A review of the potential options to deal with these key issues was carried out as part of the Sustainability Appraisal (SA/SEA) process (see SA/SEA report). This set out a number of different approaches which could be taken forward into the plan, assessed them as options and made a recommendation as to which policy approach, would be the most appropriate to include in the plan.
- 3.3 As a result of this process, as well as the consideration of all evidence collected and collated, the following policies are proposed for inclusion in the MWLP. Where policies have been updated/alterd since the Preferred Options version of the Plan, these have been reassessed under the SA/SEA.

*Policy 1: Sustainable Development*

- 3.4 This is a general policy setting out that the MWLP will support the NPPF priority of delivering sustainable development.

*Policy 2: Landbank and Need*

- 3.5 This policy sets out the mineral demand requirement for West Berkshire as set out in the minerals evidence. The policy sets out the need for the MWLP to plan for the delivery of approximately 1.73 million tonnes of construction aggregates over the plan period. This comprises 941,000 tonnes of sharp sand and gravel and 791,000 tonnes of soft sand.

*Policy 3: Net self-sufficiency in Waste Management*

- 3.6 This policy sets out the proposed approach to waste management for West Berkshire. The evidence compiled indicates that currently the district has sufficient waste sites to achieve net self-sufficiency of waste management and therefore, no further sites are required. This policy is closely linked to the safeguarding waste policy, as the safeguarding of existing permitted waste sites will ensure that the district is able to maintain net self-sufficiency of waste management.

*Policies 4 – 8: Location of Development*

- 3.7 There are five policies under this heading, Construction Aggregates, General Waste Management Facilities, Specialist Waste Management Facilities, Landfill and Permanent Deposit of Waste to Land, and Borrow Pits. The policies set out where there will be a presumption in favour of development for each type of development, with the construction aggregates policy setting out the allocated sites and an area of search for soft sand sites.

*Policies 9 – 10: Safeguarding*

- 3.8 There are two policies under this heading, Minerals Safeguarding and Waste Safeguarding. The policies set out the minerals and waste sites and resources that will be safeguarded from non-minerals or waste development. This will ensure that mineral deposits are not sterilised and that infrastructure to support minerals and waste processing are retained to ensure the Council can continue to meet its needs.

*Policies 11 – 14: Specialist Development*

- 3.9 There are four policies under this heading each relating to a specialist mineral or waste management process – Chalk and Clay, Energy Minerals, Radioactive Waste treatment linked to AWE and Reworking Old Landfill Sites. These policies all set out the criteria for when these types of development will be viewed favourably and what exceptional circumstances would need to be overcome.

*Policy 15 – 16: Infrastructure*

- 3.10 There are two policies under this heading, Location of Permanent Construction Aggregates Infrastructure (e.g. processing plants) and Temporary Minerals and Waste Infrastructure. The policies set out the criteria for when these types of development would be viewed favourably and what exceptional circumstances would need to be overcome.

### Development Management Policies

3.11 Thirteen development management policies have been developed covering the following topics:

- (1) Policy 17 Restoration and After-Use - This policy sets out the requirements for restoration and after-use of sites following the completion of mineral extraction.
- (2) Policy 18 Landscape – this policy sets out a general approach to consideration of the impact on the landscape for minerals and waste development.
- (3) Policy 19 Protected Landscapes – this policy sets out the approach to development in protected landscapes, specifically the AONB. It includes details of the exceptional circumstances when minerals and waste development may be considered acceptable in the AONB.
- (4) Policy 20 Biodiversity and Geodiversity – this policy sets out the approach to consideration of the impact of development on biodiversity and geodiversity.
- (5) Policy 21 Agricultural land – this policy sets out the approach to considering the impacts development could have on agricultural land.
- (6) Policy 22 Transport – this policy sets out the requirements for highways and transport considerations associated with development.
- (7) Policy 23 Rights of Way – this policy sets out the requirements for rights of way affected by development to be retained or diverted to allow continued access to the countryside.
- (8) Policy 24 Flooding – this policy sets out the approach that will be taken to considering flood risk and the impacts on flooding that development may have.
- (9) Policy 25 Climate Change – this policy sets out the approach that will be taken to considering the impacts development could have on climate change, seeking to minimise these impacts.
- (10) Policy 26 Public Health, Environment and Amenity – this policy sets out the approach that will be taken to considering the impacts development could have on public health, the environment and amenity, seeking to minimise these impacts.
- (11) Policy 27 Historic Environment – this policy sets out the approach that will be taken to considering the impacts of development on the historic environment.
- (12) Policy 28 Design – this policy sets out the approach that will be taken towards ensuring good design is associated with development.

- (13) Policy 29 Cumulative Impacts – this policy sets out the requirements for considering potential cumulative impacts resulting from development.

### **Site Allocations**

- 3.12 All sites submitted to the Council have been assessed as part of the site assessment process, the details of which are set out in the Site Selection Methodology Report (available at [www.westberks.gov.uk/mwevidencebase](http://www.westberks.gov.uk/mwevidencebase)).
- 3.13 Various technical studies have been commissioned to support the allocation of sites including Landscape and Visual Assessment and Preliminary Ecological Appraisal. Consultation with internal (highways, ecology, archaeology, environmental health, conservation) and external (Environment Agency, Natural England, Historic England) consultees has also taken place to inform the site selection process.
- 3.14 It should be noted that due to the nature of minerals development, sites can only be located where there are mineral resources and the impacts of any development are temporary during the life of the site, and following restoration of the site the impacts should be reduced to neutral, or an overall positive benefit provided.
- 3.15 Seven sites were included in the Preferred Options Minerals and Waste Plan. However, since the publication of the Preferred Options, the background evidence has been updated meaning that fewer sites need to be allocated. In addition, updated evidence regarding soft sand has shown that there is a need for soft sand sites in the district and therefore, the approach to soft sand previously considered has changed, and a site is proposed for allocation for soft sand. Full details of the change in approach to soft sand is set out in the Soft Sand Topic Paper (available at [www.westberks.gov.uk/mwevidencebase](http://www.westberks.gov.uk/mwevidencebase)).
- 3.16 Sharp Sand and Gravel
- 3.17 The proposed strategy for sharp sand and gravel is to allocate sites sufficient to meet the identified need for this mineral in the MWLP.
- 3.18 The proposed site allocations for sharp sand and gravel are:
- Boot Farm, Brimpton Common (0.75 million tonnes)
  - Tidney Bed, Ufton Nervet (1 million tonnes)
- 3.19 The location of these sites are shown in Figure 1. The number of sharp sand and gravel sites has reduced from the ‘preferred options’ version of the Plan (where seven were proposed), as the requirement for sharp sand and gravel has reduced since this time. It is anticipated that the need for sharp sand and gravel in the MWLP can be met from the two proposed sites.
- 3.20 Soft Sand
- 3.1 The proposed strategy for soft sand is:
1. Identify (allocate) one site within the AONB (Chieveley Services).
  2. Pursue a Statement of Common Ground with Oxfordshire to agree current supply levels will be planned for in their Site Allocations Document.
  3. Identify ‘Areas of Search’ for soft sand outside of the AONB (areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply – [Minerals Planning Practice Guidance Paragraph 008: Reference ID: 27-008-20140306](#)).

4. Include a criteria based policy to enable other suitable sites for soft sand that may come forward to be permitted.
- 3.2 The proposed site allocation for soft sand is:
  - Chieveley Services, Chieveley (0.4 – 0.67 million tonnes)
- 3.3 The location of this site is shown in Figure 1. The reasoning for choosing this site to be allocated is given in the Soft Sand Topic Paper (available at [www.westberks.gov.uk/mwevidencebase](http://www.westberks.gov.uk/mwevidencebase)). Highways England have not objected to this allocation following clarification that access will not be through the motorway services. Although the site is within the AONB, it is considered that there are exceptional circumstances such as to justify allocation within the AONB in line with paragraph 172 of the NPPF. This allocation alone is not sufficient to meet the identified need for soft sand in the MWLP. Therefore, a statement of common ground is being pursued with Oxfordshire County Council to agree that current (higher) sales in Oxfordshire will be planned for in their Site Allocations Document in the acknowledgement that part of the current sales pattern in Oxfordshire comprises supply to West Berkshire. In addition, it is proposed to identify soft sand 'Areas of Search' in West Berkshire outside of the AONB and include a criteria based policy in the MWLP to enable future proposals to come forward if there is operator interest. Soft Sand Areas of Search are shown in Figure 2.
- 3.4 Each allocated site has a specific site policy setting out the details and information that would be required to support any planning applications coming forward.
  - (1) Policy 30 – Boot Farm
  - (2) Policy 31 – Tidney Bed
  - (3) Policy 32 – Chieveley Services
- 3.5 No waste sites are proposed for allocation as the evidence suggests that there are already sufficient waste sites in the district to meet the need for waste management through to the end of the plan period. It is proposed that these existing sites will be safeguarded (Policy 10) from non-waste development to ensure the Council can continue to meet the need for waste sites in the district.
- 3.6 The sites for allocation were presented to members of the Planning Advisory Group. Ward members with a proposed site in their ward were invited to this meeting in May 2019.



Figure 1: Location of Proposed Allocated Sites

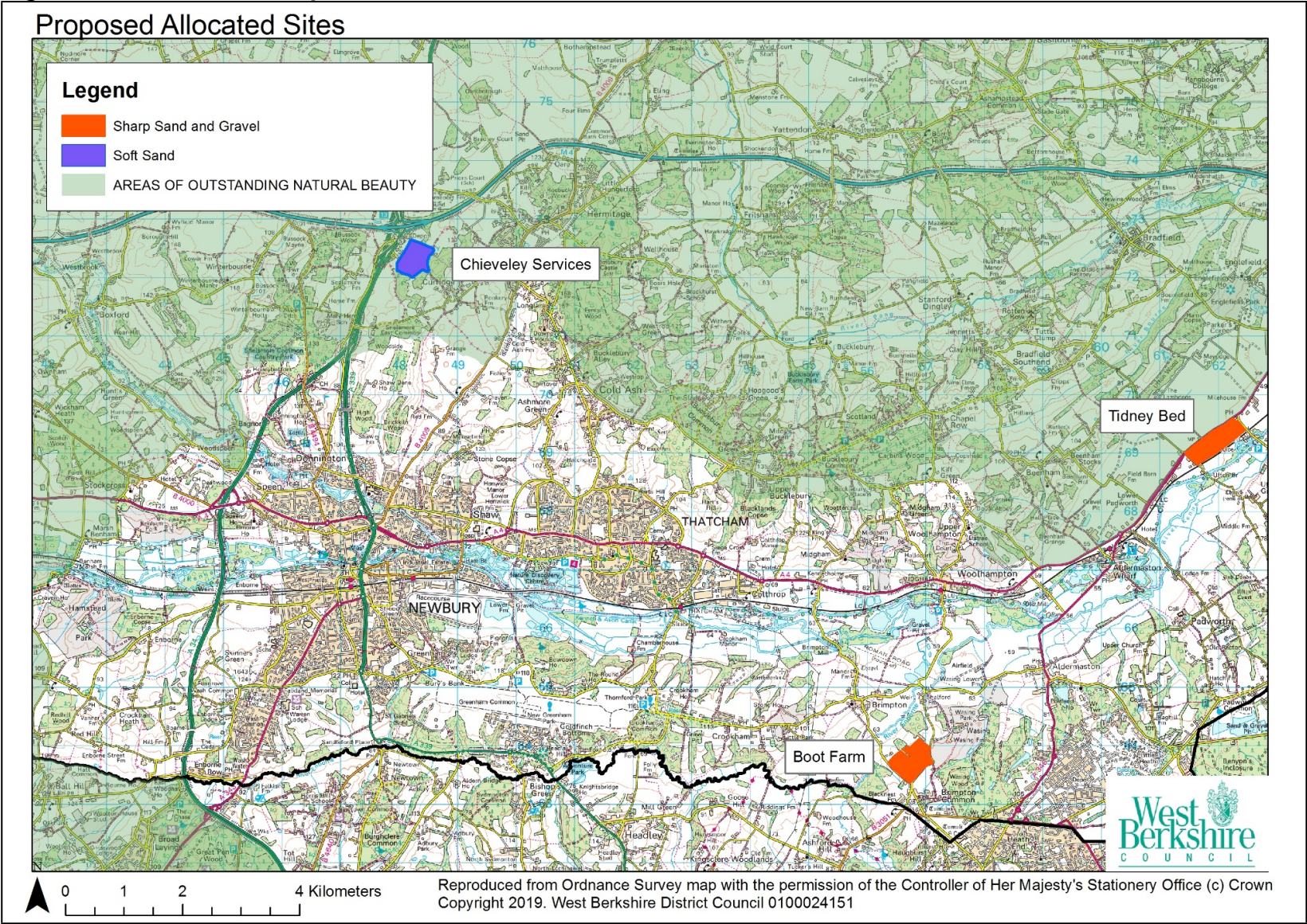
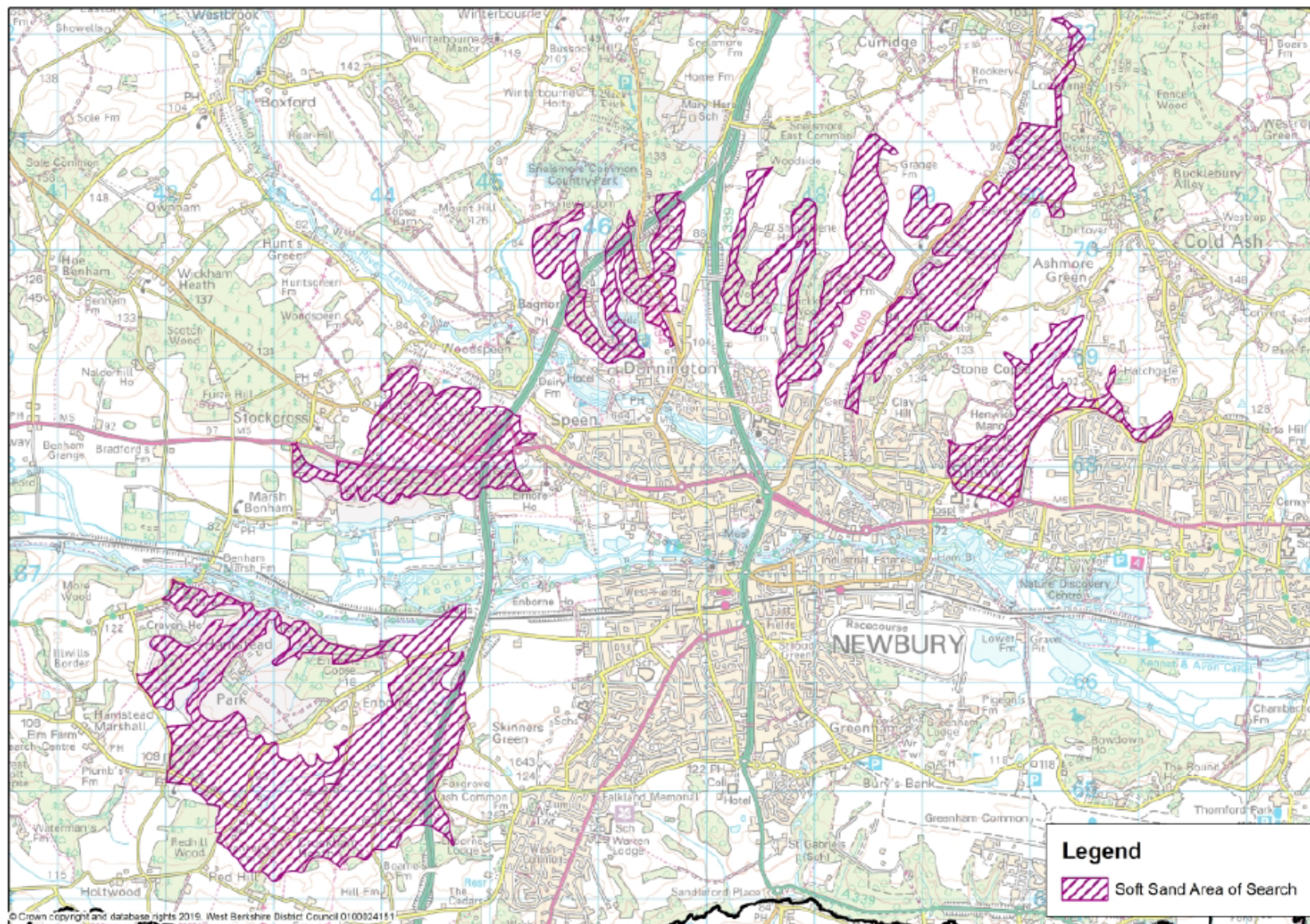




Figure 2: Proposed Soft Sand Areas of Search



## **4. Proposals**

### **4.1 Recommendations:**

- (1) That the Minerals and Waste Local Plan Proposed Submission consultation document, and supporting evidence base documents are published for consultation in accordance with the West Berkshire Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (2) That following public consultation, the Proposed Submission Minerals and Waste Local Plan and supporting evidence base be submitted to the Secretary of State for independent examination in line with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- (3) That Full Council grant delegated authority to the Head of Development and Planning to agree any minor typographical and presentational changes and factual updates to the Proposed Submission MWLP and supporting information prior to publication for consultation and submission for independent examination.

- 4.2 If approved, it is anticipated that the consultation will take place for six weeks between 20<sup>th</sup> January and 2<sup>nd</sup> March 2020 and will be carried out in accordance with the Council's Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **5. Future Timetable**

- 5.1 Following the close of consultation, officers will prepare for submission of the plan to the Secretary of State for independent examination. It is anticipated that the following timetable will be followed:

- (1) March – July 2020 – Prepare for submission to Secretary of State
- (2) July 2020 – Submission to Secretary of State for Examination
- (3) November 2020 (date subject to PINS) – Examination Hearings
- (4) June 2021 – Adoption of the Minerals and Waste Local Plan.

- 5.2 These timings are indicative as the level of response to the Proposed Submission consultation will impact upon the timetable, as will the level of resources within the Minerals and Waste Team.

- 5.3 A draft of the Local Development Scheme (LDS) has been prepared to reflect this timetable, however this is currently awaiting formal approval (via ID). The updated LDS will be adopted prior to the submission of the Minerals and Waste Local Plan.

## **6. Conclusion**

- 6.1 It is concluded that the suite of documents that have been prepared by officers, which have been informed by elected members, public consultation, technical studies and consultations with statutory bodies and internal departments is the most suitable approach to delivering the requirement for an up to date Minerals and



Waste Local Plan and should be subject to public consultation in accordance with the West Berkshire Statement of Community Involvement and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 prior to being submitted to the Secretary of State for Examination in Summer 2020.

## 7. Consultation and Engagement

- 7.1 Consultation on the Plan has taken place with members of the Minerals and Waste team, Planning Advisory Group and internal consultees (including: Highways, Archaeology, Conservation and Environmental Health). Advice has also been sought from statutory consultees in particular the Environment Agency, Natural England and Historic England.
- 7.2 There have been three rounds of public consultation as part of the preparation of the Proposed Submission Plan:
- (1) Issues and Options in Early 2014
  - (2) Sites Consultation in Summer 2016
  - (3) Preferred Options in Spring/Summer 2017
- 7.3 All comments made as part of these consultations have been taken into account in the preparation of the plan.

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### Background Papers:

\*the following documents have supported the development of the Proposed Submission Minerals and Waste Local Plan. Further details on these documents are set out in section 2.4 of the above report. Electronic copies of these documents are available at [www.westberks.gov.uk/mwevidencebase](http://www.westberks.gov.uk/mwevidencebase).

- Minerals Evidence (including: Local aggregates Assessment, Minerals Evidence Paper, Soft Sand Study and Soft Sand Topic Paper)
- Local Waste Assessment
- Strategic Flood Risk Assessment
- Landscape and Visual Assessment
- Preliminary Ecological Assessment
- Heritage Assessment
- Highways and Transport Topic Paper
- Site Selection Methodology
- Glossary
- Equalities Impact Assessment (also Appendix B)
- Minerals and Waste Local Plan Proposed Submission Consultation Document (also Appendix D)
- Sustainability Appraisal
- Habitats Regulation Assessment
- Statement of Consultation
- Policies Map
- Duty to Cooperate Statement

**Subject to Call-In:**

Yes: ☐ No: ☒:

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The item is due to be referred to Council for final approval



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**Wards affected:** The MWLP will affect the whole of the district.

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**Strategic Priorities Supported:**

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- ☒ **OFB1: Support businesses to start, develop and thrive in West Berkshire**
  - ☒ **GP1: Develop local infrastructure to support and grow the local economy**
  - ☒ **GP2: Maintain a green district**
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