West Berkshire Minerals and Waste Plan

Summary Document for the Issues and Options Consultation Commentary Report

April 2015

West Berkshire Local Plan

West Berkshire Council

INTRODUCTION

This is a summary document that outlines the key issues and comments that have been identified from the individual responses that were received in response to the issues and options consultation on the West Berkshire Minerals and Waste Development Plan Document. For the sake of clarity, and to reflect the up to date guidance provided in the National Planning Practice Guidance Website (PPG), the emerging minerals and waste planning policy document for West Berkshire shall now be referred to as the West Berkshire Minerals and Waste Local Plan (WBMWLP), for the sake of clarity this change has also been reflected through re-wording the Issues and Options that were consulted upon to reflect this update.

This document seeks to provide a generalised summary of the responses that were received as part of the consultation as well as a brief summary of the response by the Authority to the comments that have been made.

A further report: 'The West Berkshire Minerals and Waste Development Local Plan Commentary Report on the Issues and Options Consultation' has also prepared. This other document provides a full record of all of the responses received to the consultation and also includes the Authority's response to each of the responses that were received.

There is no requirement for a document to be produced which summarises the responses received at this stage of consultation, but the commentary report, and this accompanying summary document, has been developed to aid transparency and assist stakeholders in understanding how comments that have been received have been taken onboard for the next stage of plan making.

The Issues and Options consultation (I&O) on the WBMWLP ran for a 6 week period between 17th January and 28th February 2014, in line with the requirements within the adopted West Berkshire Statement of Community Involvement (SCI), 2007[1] and West Berkshire Council Consultation Policy 2013[2].

The Issues and Options stage of consultation is no longer a regulatory requirement of development plan making. However, West Berkshire Council identified the importance of gathering the views of interested parties at an early stage, to steer the overall direction of the WBMWLP and so inform the emerging strategy as well as assist in the identification of the key issues to be addressed by the plan.

As part of the requirements of the 2012 regulations (in particular Regulation 18), specific consultation bodies[3], general consultation bodies[4] and residents and other persons carrying on business in the local planning authority's area were notified of the consultation.

[1] The 2007 SCI has subsequently updated and replaced by the September 2014 version that can be found here: http://info.westberks.gov.uk/CHttpHandler.ashx?id=38265&p=0
[2] http://www.westberks.gov.uk/CHttpHandler.ashx?id=32265&p=0
[3] In summary, these are defined in the Town and Country Planning (Local Planning) (England) Regulations 2012 as voluntary bodies some or all of whose activities benefit any part of the local planning authority's area, bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area, bodies which represent the interests of different religious groups in the local planning authority's area, bodies which represent the interests of disabled persons in the local planning authority's area and bodies which represent the interests of persons carrying on business in the local planning authority's area.
[4] In summary, these are defined in the Town and Country Planning (Local Planning) (England) Regulations 2012 as the Coal Authority, the Environment Agency, English Heritage, the Marine Management Organisation, Natural England, Network Rail Infrastructure Limited, the Highways Agency, a relevant authority any part of whose area is in or adjoins the local planning authority's area, any person to whom the electronic communications code applies or who owns or controls electronic

Further details on the consultation that took place are recorded in the West Berkshire Minerals and Waste Local Plan Commentary Report on the Issues and Options Consultation[5].

Format of this summary report[6]

The following pages of this report sets out the various issues identified in the consultation along with the numerous options presented under each issue. For each of the options the document provides a brief overview of the key points that were raised by respondents (*in italics*) followed by a summary of the Authority's response to the points that were raised.

It is acknowledged that the Issues and Options consultation document asked very high-level questions and therefore the detailed implications for the potential approaches that were proposed have sometimes been difficult for the respondents to predict. This approach, of seeking to obtain views on the overall strategy and key issues to be addressed in the plan, was considered to be the most appropriate approach for this initial consultation document to pursue as the first stage in the development of the emerging plan. It is considered that, as the strategies are investigated and developed throughout the various stages of the plan-making process, the likely implications will become clearer.

Many respondents, quite rightly, referred to the importance of developing a strategy that includes the consideration of relevant planning considerations, designations and sensitive areas. These matters are acknowledged and, whilst this consultation may not have drawn out such issues, as it was intended to be a high level consultation seeking views from consultees to assist in steering the development of the plan, it is confirmed that the emerging strategy for the West Berkshire Minerals and Waste Plan will take into consideration all material planning considerations as the strategy is refined and the key issues are addressed.

It is worth noting that the issues proposed as part of the consultation process were not intended to be an exhaustive list of issues that may arise as part of the plan making process (hence the addition of "option 26"). Equally the potential options set out in the consultation document were not necessarily intended to be mutually exclusive and it is recognised that a combination of the potential policy approaches suggestions, or an entirely different approach may be pursued as the plan develops. Similarly the various options posed under the issues were not intended as a finite list, the majority of issues contained an "any other option" and

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communications apparatus situated in any part of the local planning authority's area, if it exercises functions in any part of the local planning authority's area a Primary Care Trust; a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989; a person to whom a licence has been granted under section 7(2) of the Gas Act 1986; a sewerage undertaker; and a water undertaker and the Homes and Communities Agency.

[5] http://info.westberks.gov.uk/index.aspx?articleid=29081

[6] Disclaimer: Please note that this is a summary report. Therefore the Council has summarised comments as necessary to ensure brevity and confidentiality of individual members of the public's personal identity. Assumptions have been made by the Council where comments have not been clearly made against either an issue or a specific option.

Where more than one set of comments have been received by the Council and submitted to both a specific issue and option, those received most recently have been accepted as the final set of comments. Only those comments received by the Minerals and Waste mailbox (*WBMWLP@westberks.gov.uk or mineralsandwasteplanningpolicy@westberks.gov.uk*) or received by post have been considered to have been made on the Minerals and Waste Local Plan.

For details of the actual responses received, please see the full West Berkshire Minerals and Waste Development Plan Document Commentary Report on the Issues and Options Consultation Report.

in addition option 26 provided consultees with the chance to raise any other issue, or an alternative option for an issue that had been identified.

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Vision of the WBMWLP

Question 1: Do you agree that the vision for the WBMWLP needs to be stated?

The majority of consultees agreed that a vision for the WBMWLP was needed and should be used to underpin, and set the context for the objectives, policies and proposals in the plan. However there was some difference of opinion as to the content of the vision.

It is agreed by the Authority that the inclusion of a vision for the emerging plan will set out a framework for future development in the area and set out what the plan is intended to achieve. Such an approach is considered by the authority to be in line with the guidance set out in the PPG.

Question 2: If so, does the suggested wording encompass what is needed? If you feel that it does not, please explain why.

A large number of respondents indicated support for the draft vision that was set out in the I&O document. However, several respondents suggested that additional wording was required with reference made to giving greater acknowledgement to some specific matters / issues / designations (for example the AONB and economic benefits). It was also suggested that the issue of cross boundary movements and the wider role that West Berkshire plays in supplying construction aggregates to neighbouring authorities may not have been adequately reflected in the vision (including how DTC will be met). Reference was also made to the need to ensure the vision encompasses the environmental role of the WBMWLP.

It is considered by the Authority that the vision for the plan should not seek to be too detailed or attempt o set out every matter / issue / constraint etc that is relevant to the plan or plan area, however it is recognised that a balance is required to ensure that the vision is not so broad that it becomes meaningless.

The intention is that the vision will be clear and concise and set out a framework for future minerals and waste development in the area, and set out what the plan is intended to achieve. Such an approach is considered by the authority to be in line with the guidance set out in the PPG. The comments that have been made in respect of this matter have been noted and, where appropriate, will be incorporated into the next draft of the plan that will be subject to further public consultation.

In order to ensure that it is fit for purpose it is likely that the draft vision will be reviewed as part of the plan-making process. The vision will also be subject to Sustainability Appraisal in line with the SEA Directive.

Objectives for the WBMWLP

Question 3: Do you think that the stated objectives are suitable for the WBMWLP in respect of minerals and waste development? If not, please indicate how you think the objectives should be changed.

There was clear support for the objectives that were included in the consultation document. Concern was raised that some of the objectives are not achievable and that they are "industry led". Respondents suggested that some of the objectives need to be more balanced (some cited a need to give greater emphasis to economic factors, others cited a need to give a greater emphasis to environmental factors). It was also suggested that clarity will be required in respect recovery of waste and landfill. The draft objective suggesting that mineral extraction will not take place in the AONB was supported by some respondents, but criticised by others.

It is considered that the final objectives for the emerging plan should aim to expand upon the framework set out by the vision for the plan, whilst also drawing upon other plans and strategies that are applicable to the plan area. The objectives need to be informed by national policy and guidance whilst also reflecting local policies and circumstances.

The authority agrees that the objectives for the plan should not be overly detailed or prescriptive, but acknowledge that a balance needs to be struck to ensure that the objectives are relevant to the plan area and inform the policies in the plan. The comments that have been made in respect of this matter have been noted and, where appropriate, will be incorporated into the next draft of the plan that will be subject to further public consultation.

In order that all the necessary issues are addressed it is likely that the draft objectives will be reviewed as part of the plan-making process. The objectives will also be subject to Sustainability Appraisal in line with the SEA Directive.

Question 4: Do you think there are any other objectives that should be incorporated into the WBMWLP? If so, please state what you think these objectives should be.

The majority of those respondents who commented on this question suggested that additional objectives were required. Suggestions included; objectives relating to collaborative working, monitoring the implementation of the plan, expanding waste facilities, sustainable transport, protection of agricultural land, promoting the recovery of waste that cannot be recycled or reused, a commitment to investigate other waste solutions and alternative sources of minerals outside West Berkshire. It was also suggested that an objective should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Some respondents suggested that the draft objectives failed to meet the requirements of the NPPF in respect of environmental issues and that an objective is required that acknowledges the wider role of West Berkshire plays in respect of supporting the mineral needs of other authority areas.

The authority agrees that the objectives for the plan should not be overly detailed or prescriptive, but acknowledge that a balance needs to be struck to ensure that the objectives are relevant to the plan area and inform the policies in the plan. The comments that have been made in respect of this matter have been noted and, where appropriate, will be incorporated into the next draft of the plan that will be subject to further public consultation. Particular regard will be had to the fact that national planning policy has changed since the publication of the consultation document, so there will be a need to ensure that the objectives remain up to date as the plan develops.

In order that all the necessary issues are addressed it is likely that the draft objectives will be reviewed as part of the plan-making process. The objectives will also be subject to Sustainability Appraisal in line with the SEA Directive.

General Issue 1: End date for the WBMWLP

Option 1.1: Should the WBMWLP have an end date of 2031 in accordance with the guidance in the NPPF?

Of the options given under this issue, this potential end date received the greatest level of support, with reference being made to a longer date providing greater certainty for the future of minerals and waste development within the Authority. However, some respondents also suggested this date was too long into the future as this could prevent flexibility or a risk that, towards the latter end of the plan period, the policies would become dated.

The Authority notes that the NPPF (paragraph, 157) states that "Crucially, Local Plans should "plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework; be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date, be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;"

It is also noted that the soundness of the local plan will be considered by an independent Planning Inspector on the following criteria which is stated within the NPPF, as such a sound plan must be positively prepared, justified, effective (the plan should be deliverable over its period) and consistent with national policy (which will include consideration of the NPPF and PPG).

The Authority note that, regardless of the end date that is included in the final adopted WBMWLP, the PPG (Reference ID: 12-009-20140306) states that "to be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating." The PPG goes on to confirm that "Most Local Plans are likely to require updating in whole or in part at least every five years." Therefore the monitoring and review process for the plan is likely to be more critical to ensuring that the plan remains up to date than the proposed end date for the period that the plan is intended to cover.

Option 1.2: Should the WBMWLP have an end date of 2026 in accordance with guidance in PPS10?

There was limited support for this end date with reference to this end date being aligned to the Core strategy and providing greater flexibility. Some suggested that this proposed date would not be complicit with the NPPF and respondents made reference to the fact that that PPS10 is due to be revoked.

It is noted that in October 2014, after the close of the consultation period, PPS10 was formally replaced by the National Planning Policy for Waste. This replacement document removed any indication of the length of time that a development plan document should cover. It is considered therefore, that there is no longer a rationale for pursuing an end date that is aligned to a, now revoked, policy.

The Authority note that, regardless of the end date that is included in the final adopted WBMWLP, the PPG (Reference ID: 12-009-20140306) states that "to be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating." The PPG goes on to confirm that "Most Local Plans are likely to require updating in whole or in part at

least every five years." Therefore the monitoring and review process for the plan is likely to be more critical to ensuring that the plan remains up to date than the proposed end date for the period that the plan is intended to cover.

Option 1.3: Should the WBMWLP have an end date of 2026 to coincide with the end date of the West Berkshire Core Strategy?

Some respondents have made reference to there being a need for the review of the adopted core strategy and therefore suggest that it is not prudent to align the date of the WBMWLP to the core strategy. Others suggest that this is too short a plan period and non compliant with PPS10 (requiring "at least 10 years") and the NPPF.

Whilst the Authority notes that the soundness of the local plan will be considered by an independent Planning Inspector who will consider the relevant criteria which is stated within the NPPF. The NPPF confirms that a sound plan must be positively prepared, justified, effective (the plan should be deliverable over its period) and consistent with national policy (which will include consideration of the NPPF and PPG). An adopted plan must also recognise the adopted Local Development Scheme and all the proposed documents which will form the Local Development Plan for West Berkshire.

A Housing Site Allocations DPD is currently being prepared to support the recently adopted core strategy, and it is anticipated that this DPD should be adopted in 2016. Following this there will be the preparation of a new Local Plan which will look longer term and which will cover the full range of policies and allocate additional sites for development." The timetable for these emerging plans is provided within the Local Development Scheme, May 2014. It should also be noted that the WBMWLP will be cognisant of, and shall be aligned to and complementary of the adopted Core Strategy, but is not to be intended to be subservient to this Local Plan.

The Authority note that, regardless of the end date that is included in the final adopted WBMWLP, the PPG (Reference ID: 12-009-20140306) states that "to be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating." The PPG goes on to confirm that "Most Local Plans are likely to require updating in whole or in part at least every five years." Therefore the monitoring and review process for the plan is likely to be more critical to ensuring that the plan remains up to date than the proposed end date for the period that the plan is intended to cover.

Option 1.4: Should the WBMWLP cover a different period?

The only alternative periods suggested by respondents were for a plan period to 2022 (to align with the municipal waste management strategy) or for either a "10" or a "20" year plan period. The importance of monitoring and, where necessary, local plan reviews were also widely acknowledged. Many consultees reinforced their preferences already detailed within options 1.1 to 1.3, which have not been repeated here.

The Authority note that the NPPF (paragraph, 157) states that "Crucially, Local Plans should: plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework; be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date."

The other main piece of guidance crucial when considering the potential end date for the plan is within the NPPF (paragraph, 158) which states that “each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.”

The Authority note that, regardless of the end date that is included in the final adopted WBMWLP, the PPG (Reference ID: 12-009-20140306) states that “to be effective plans need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating.” The PPG goes on to confirm that “Most Local Plans are likely to require updating in whole or in part at least every five years.” Therefore the monitoring and review process for the plan is likely to be more critical to ensuring that the plan remains up to date that the end date.

Summary

In summary, the potential end date for the plan of 2031 received the greatest level support of the various options put forward under this issue. It is, however accepted that although the proposed dates took into account guidance available at the time the consultation was undertaken, there has now been a change to the guidance that is provided on this matter.

The Authority agree that whatever end date is adopted for the WBMWLP the plan will need to be kept up-to-date. Policies will age at different rates depending on local circumstances, and the local planning authority should review the relevance of the Local Plan at regular intervals to assess whether some or all of it may need updating. Therefore the monitoring and review process for the plan is likely to be critical in ensuring that the plan remains up to date than the actual proposed end date for the plan period.

Minerals Issue 2: Future mix of supply of aggregates in West Berkshire

Option 2.1: Should West Berkshire progress with a strategy that relies primarily on meeting the need for construction aggregates through the extraction of primary minerals from reserves in West Berkshire, whilst also recognising the wider role that West Berkshire has in supplying minerals to other areas that have fewer resources?

Whilst there was some support for this potential strategy by respondents it was generally seen as being an inappropriate strategy for the supply of aggregate minerals. Some consultees suggested that such a potential approach would not comply with the provisions set out in the NPPF. A number of respondents therefore suggested that a more diverse strategy should be adopted. Conversely some respondents suggested that West Berkshire should only seek to meet the aggregate needs of the authority, making reference to environmental designations that relate to some parts of the authority area, such as the AONB, being a potentially significant inhibitor to mineral provision.

Other respondents made more general references to the need to consider the impacts of the various potential approaches, and ensuring that whatever strategy is pursued it should be based on minimising the impacts of the chosen strategy.

National policy supports the concept of cooperation between LPAs. Specifically, paragraph 179 of the NPPF, which confirms that joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity. Therefore it is considered by the Authority that it is important that the emerging policy approach does consider the wider role that West Berkshire has to play in supplying construction aggregates to other authority areas where such minerals are not available.

Comments were also received indicating that the potential approach outlined under this option was likely to fall short of national policy as alternatives to primary aggregates were not adequately considered. It is acknowledged by the Authority that paragraph 163 of the NPPF confirms minerals planning authorities should work with other relevant organisations to use the best available information to: develop and maintain an understanding of the extent and location of mineral resource in their areas; and-assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary materials.

Therefore it is acknowledged that a strategy for the delivery of construction aggregates that relies primarily on the extraction of primary aggregates from within West Berkshire does not readily align to the NPPF and consideration needs to be given to other sources of construction aggregates in the development of the emerging plan.

It is also recognised that the implications of the chosen strategy need to be fully assessed to understand the potential impacts of the chosen policy approach.

Option 2.2: Should West Berkshire progress with a strategy that relies primarily on meeting its need for construction aggregates through the extraction of primary minerals from reserves in West Berkshire, but seek to maintain the remaining reserves for the construction and manufacturing industry within West Berkshire?

There was limited support for this potential strategy, with a number of respondents agreeing with the potential approach, suggesting that West Berkshire should only seek to meet the aggregate needs of the authority.

However, this potential approach was generally seen as an unrealistic and inappropriate potential construction aggregate supply strategy by a number of respondents, who suggested that such an approach would not comply with the NPPF or be supported through DTC.

Again, respondents made more general references to the need to consider the impacts of the approach, and ensuring that whatever strategy is pursued it should be based on minimising the impacts of the chosen strategy.

Paragraph 145 of the NPPF stipulates that minerals planning authorities should plan for a steady and adequate supply of aggregates by making provision for the maintenance of landbanks of at least 7 years for sand and gravel, with the landbank of aggregates being derived, in part, using historical sales figures. Given that, historically, West Berkshire has been an authority that is a "supplier" of land won construction aggregates, the historic level of primary construction aggregate extraction has exceeded the level of demand generated by the Authority. Therefore if this potential option (of seeking to only meet the needs of the local authority) is pursued it may result in a situation where the required landbanks are not adequately planned for, this could be argued as an approach would not comply with the NPPF.

National policy supports and requires authorities to cooperate with other LPAs. Option 2.2 could be considered to be 'inward looking'. Paragraph 179 of the NPPF confirms joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas for instance, because of a lack of physical capacity. By adopting an approach where the wider role that West Berkshire has to play in supplying minerals is not accounted for, it may be that the plan would not be in line with the national policy.

Comments have been made indicating that this potential option would not be compliant with national policy as it does not consider alternative aggregate sources to primary materials. Paragraph 163 of the NPPF confirms minerals planning authorities should work with other relevant organisations to use the best available information to: develop and maintain an understanding of the extent and location of mineral resource in their areas; and assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary materials.

Therefore it is acknowledged that a strategy for the delivery of construction aggregates that relies primarily on the extraction of primary aggregates from within West Berkshire does not readily align to the NPPF and consideration needs to be given to other sources of construction aggregates in the development of the emerging plan.

It is also recognised that the implications of the chosen strategy need to be fully assessed to understand the potential impacts of the chosen policy approach.

Option 2.3: Should West Berkshire progress with a strategy that relies primarily on meeting its need for construction aggregates through the maximisation of recycled aggregate production to reduce the reliance on land won sources?

There was some support for this potential strategy but reference was made to an over reliance on recycled aggregates being problematic as there is no control, or certainty, of the likely levels of production / capacity in the future. Therefore some respondents considered that this potential policy approach could be undermined by uncertainties over future provision meaning that the plan could fail to meet the construction aggregate requirements of the area, which would not be compliant with the NPPF.

Some respondents made more general references to the need to consider the impacts of the approach, and ensuring that whatever strategy is pursued it should be based on minimising the impacts of the chosen strategy.

It is also acknowledged that this potential policy approach does not specifically refer to recognising the wider role that West Berkshire has historically held in supplying primary land won construction aggregates to other areas that have fewer resources, this was a point referred to by some consultees. Paragraph 179 of the NPPF confirms joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas, for instance, because of a lack of physical capacity. By not considering the wider role that West Berkshire has to play in supplying construction aggregate minerals to other authorities that have demonstrated a need (perhaps because of a limited level of indigenous supply) it may be that the MWLP would not be in line with the National policy.

It is agreed that national policy is supportive of the use of aggregates other than primary aggregates to meet constructional needs. NPPF paragraph 163 confirms minerals planning authorities should work with other relevant organisations to use the best available information to: develop and maintain an understanding of the extent and location of mineral resource in their areas; and assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary materials.

This potential Option 2.3 advocates a reliance on recycled aggregates. It is stipulated in NPPF paragraph 143 that minerals planning authorities should so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously. This suggests that the plan should seek to ensure that the contribution of recycled materials towards the overall demand for construction aggregates should be factored in to need / demand calculations.

Therefore the Authority acknowledges that recycled aggregates do have a part to play in meeting the overall level of demand for construction aggregates but it is agreed that an approach that seeks to rely primarily on this potential source may result in an overreliance on one source of construction aggregate materials. This could become problematic in the event that there is a shortfall in this source of construction aggregate materials over the life of the plan and, in addition, it is understood that recycled aggregates may not always be suitable for all the uses to which primary land won aggregates can be used for.

It is also recognised that the implications of the chosen strategy need to be fully assessed to understand the potential impacts of the chosen policy approach.

Option 2.4: Should West Berkshire progress with a strategy that relies upon on meeting its need for construction aggregates through a mix of land won primary aggregates, imports of aggregates from other authorities and through the use of recycled aggregates?

This option gained the most support, with many respondents agreeing that the plan should account for a mix of all sources of aggregates, whilst recognising that there will be a need to import and export construction aggregate materials to meet the needs of West Berkshire whilst also reflecting the historic position where minerals won from within West Berkshire and recycled aggregates produced in West Berkshire are utilised to meet the needs of other areas.

Some respondents made more general references to the need to consider the impacts and ensuring that whatever strategy is pursued it should be based on minimising the impacts of the chosen strategy.

The potential approach set out in option 2.4 encourages an approach whereby a combination of different sources of construction aggregates would be utilised to meet the demand for construction aggregates including primary aggregates, secondary aggregates, recycled aggregates and imported aggregates. Such an approach would appear to be well aligned to the NPPF and also provide a level of flexible, should the pattern of demand change over the life of the plan.

Paragraph 143 of the NPPF confirms in preparing Local Plans, so far as practicable, mineral planning authorities should take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously. This suggests a hierarchy of considerations that would ensure that, where possible, land won primary aggregates are husbanded and not extracted and used where other, potentially more sustainable sources of construction material can be used.

It is agreed that paragraph 163 of the NPPF confirms minerals planning authorities should work with other relevant organisations to use the best available information to: develop and maintain an understanding of the extent and location of mineral resource in their areas; and assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary materials.

Consultees made the point that the wider role that West Berkshire has in terms of supplying mineral to areas with fewer resources should be taken into account. NPPF paragraph 179 is supportive of this in that it confirms joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas for instance, because of a lack of physical capacity. By not considering the wider role that West Berkshire has to play in supplying construction aggregate minerals to other authorities that have demonstrated a need (perhaps because of a limited level of indigenous supply) it may be that the MWLP would not be in line with the National policy.

Option 2.5: Do you think there is another strategy, relating to construction aggregates, that the WBMWLP could develop? If so please explain what you think it should be.

It was suggested that there could be an increased reliance on rail imported aggregates or on neighbouring authorities (specific reference made to north Hampshire) particularly if this enabled the protection of the AONB in West Berkshire. There was also some support for a combination of the proposed objectives, such as 2.1 and 2.4 or a reliance on the most sustainable option.

Consultee responses suggesting that aggregate could be imported via rail are acknowledged, however it should be noted that the NPPF stipulates (in paragraph 145) that minerals planning authorities should plan for a steady and adequate supply of aggregates by making provision for the maintenance of landbanks of at least 7 years for sand and gravel. Paragraph 143 of the NPPF confirms that planning authorities should aim to “source mineral supplies indigenously”

Therefore by not planning for the maintenance of these landbanks and/or seeking to adopt an approach that relies significantly on imported material, it could be argued that the plan would not comply with the NPPF. Such an approach may need to be pursued if the

development of the plan (and supporting evidence) reveals that there are insufficient opportunities to source minerals indigenously, or that recycled or secondary materials generated locally cannot meet the level of supply, but this would need to be demonstrated by evidence and discussed under the duty to cooperate.
Comments were also received indicating that the wider role that West Berkshire plays in terms of providing aggregates to other areas with fewer resources should be acknowledged in policy terms. Paragraph 179 of the NPPF confirms joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas for instance, because of a lack of physical capacity. By not considering the wider role that West Berkshire has to play in supplying construction aggregate minerals to other authorities that have demonstrated a need (perhaps because of a limited level of indigenous supply) it may be that the MWLP would not be in line with the National policy.

Summary
In summary the majority of respondents on this option recognised that there was a need for the WBMWLP to consider the importance of all sources of aggregates, including imported aggregates, recycled and secondary aggregates in addition to the use of primary aggregates. This potential approach is seen as the most appropriate policy approach to be pursued at this stage as it is agreed that a strategy that seeks to rely solely upon one aggregates source would not be overly appropriate.

Such an approach would appear to be genrally aligned to paragraph 143 of the NPPF, which states that: “in preparing Local Plans, so far as practicable, mineral planning authorities should take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously”. This confirms the importance of considering all potential supply options and suggests a hierarchy of considerations that would ensure that, where possible, land won primary aggregates are husbanded and not extracted and used where other, potentially more sustainable sources of construction material can be used.

It was also clear that a number of respondents were of the view that West Berkshire needs to recognise the wider role that, historically, the authority has played in supplying both land won primary aggregates as well as recycled aggregates to surrounding areas. It is agreed that this will need to be acknowledged in any policy approach that is pursued, but at the same time it may be that this historic production of land won primary aggregates may have to be kept under review as the remaining resource areas are becoming more and more constrained.

The sensitivity of protected areas in the authority area was also raised a key concern, and this is acknowledged. It is also recognised that the implications of the chosen strategy need to be fully assessed to understand the potential impacts of the chosen policy approach.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that the potential approach that is seen as the most appropriate (the reliance on all sources of aggregates) was not necessarily the most “sustainable” in the terms of the identified sustainability objectives. These sustainability factors will be considered further in the development of the emerging plan.

Minerals Issue 3: Extraction of sharp sand and gravel from within the AONB

Option 3.1: Should West Berkshire progress with a strategy that seeks to meet its need for sharp sand and gravel from sites outside the AONB, recognising that the viable reserves in this area have already been heavily exploited, such that more constrained or sensitive sites may have to be worked, or that the level of aggregates that can be produced in West Berkshire may have to be limited?

There was clear support for this potential option with respondents citing the purpose of the AONB being a clear reason for avoiding mineral extraction from this designated area. Reference was also made by some respondents to the potential need for flexibility, and whilst there may be a preference for locating working outside the AONB, some respondents suggested it could be possible to identify areas where working may be acceptable.

Some respondents suggest that the AONB is such a large constraint in the authority area that to develop a strategy that seeks to avoid mineral working in the AONB entirely would place undue burden on other areas and reference was made to the mineral bearing land in the authority that is outside the AONB already being constrained. Reference was also made to large areas of viable reserves existing in the AONB and adopting such a policy approach may result in a failure to provide an adequate level of aggregates over the plan period. A number of respondents have referred to the "exceptional circumstances" and "as far as practical" references in the NPPF, where major development may be acceptable in this designated area.

Some respondents raised concerns over the terminology used in the consultation document in respect of the use of the terms "sharp sand and gravel" and "soft sand".

In summary this potential policy option sought to explore the views of respondents with regard to the extraction of sharp sand and gravel from within the AONB. This option questioned respondents as to whether they agreed, or disagreed with a policy approach that would effectively set a prohibition of mineral extraction from within this designated area.

It is clear from the responses that, whilst a number of respondents did support such a "blanket ban" approach the majority made reference to a need to be flexible and the wording of the NPPF, in particular paragraph 144, which states that states that: "as far as is practical, provide for the maintenance of landbanks of non energy minerals from outside Areas of Outstanding Natural Beauty" as well as paragraph 116 of the NPPF that confirms that "Planning Permission should be refused for major developments in these designated areas except in exceptional circumstances and where is can be demonstrated that they are in the public interest".

Of critical importance to this option, and indeed the wording found in the NPPF on this matter, is the issue of "need" and therefore the Authority considers that the extent of available reserves are fundamental to the development of a policy approach that is relevant to the issues raised by this option. The LAA, which supported this consultation, suggests that the amount of sharp sand and gravel that needs to be extracted from sites in West Berkshire to meet the projected level of need on an annual basis (based on the past 10 years sales) is circa 440,000 tonnes per annum. Factoring in a possible plan period of 15 years, this equates to a demand for 6.6 million tonnes of primary construction aggregates over this hypothetical plan period.

Whilst it is acknowledged that the extent of the AONB in the authority is significant the British Geological Survey – South East Regional Assembly: South East Plan – Review of Mineral Supply and Demand Report (2006) suggests that there could be as much as 312 million tonnes of sharp sand and gravel in West Berkshire that is not the subject of any

environmental designations. It is accepted that this British Geological Survey report was a "high level" investigation and included a number of assumptions and caveats, however this does indicate that there is a potentially large volume of construction aggregate minerals that are outside the AONB that could meet future demand over the life of the WBMWLP. This would suggest that there is a realistic potential for the approach endorsed by paragraph 144 of the NPPF (as far as is practical, provide for the maintenance of landbanks of non energy minerals from outside Areas of Outstanding Natural Beauty) to be pursued by the WBMWLP, subject to the completion of further work on the issues of need for, and availability of reserves of, sharp sand and gravel.

It is clear that the issue of need and the availability of resources are of critical relevance to this particular option and these factors will need to be thoroughly considered in the development of the strategy to be pursued in respect of the extraction of sharp sand and gravel in the WBMWLP.

It is also accepted by the Authority that the impact of development on the AONB is the critical issue when considering the implications for this nationally recognised important landscape, and not necessarily the location of development either within, or outside the AONB. It is also acknowledged that all relevant planning constraints need to be fully considered in developing the preferred approach for the locations for mineral workings in the WBMWLP.

Option 3.2: Should West Berkshire progress with a strategy that seeks to meet its need for sharp sand and gravel from sites both outside and within the AONB? If you agree with this strategy, do you think that the WBMWLP should identify a strategic area / areas or sites within the AONB where the extraction of sharp sand and gravel could be permissible?

This option was viewed relatively negatively with reference made to large areas of deposits located outside the AONB. However there was considerable reference to the issue of need for minerals. Reference has also been made to there not being a national need for sharp sand and gravel that could outweigh the national level protection for AONB.

Despite this opposition to this potential policy approach by some consultees, others suggested that there could be some scope for limited, sensitive extraction of minerals from within the AONB. It was also suggested that strategic areas within the AONB could be identified, if there is a need to do so, but reference was made to such an approach only being considered suitable following a comprehensive assessment of all options outside the AONB.

It is agreed that the NPPF (paragraph 116) confirms that "Planning permission should be refused for major developments in these designated [AONB] areas except in exceptional circumstances". Therefore it follows that if the WBMWLP identifies that there are exceptional circumstances whereby there is a need to progress with a strategy that actively promotes the extraction of sharp sand and gravel from the AONB, then it would need to be part of a strategically planned process, and clearly supported by robust evidence. If the WBMWLP proposes individual sites, or areas of search, that may impact upon the AONB, then there will be a need to demonstrate that "exceptional circumstances" tests are met. The acceptability of impacts would have to be assessed by means of Landscape and Visual Impact Assessment as part of the plan's evidence base.

It would be necessary for the emerging plan to identify such exceptional circumstances whereby there is a need to progress with a strategy that actively promotes the extraction of sharp sand and gravel from the AONB. Such considerations of exceptional circumstances would include considerations such as the level of need, market demand and location,

alternative sources of supply and whether there is scope to extract minerals from outside the AONB or meet the level of construction aggregate need in some other way.

It is not disputed that there are likely to be extensive viable reserves of sharp sand and gravel in the parts of West Berkshire designated as AONB, particularly in the Kennet Valley. However it is understood that there are also extensive deposits of sharp sand and gravel in the parts of West Berkshire that are not designated as AONB as well as in surrounding authority areas, that are unconstrained by such environmental designations.

It is clear that the issue of need and the availability of resources are of critical relevance to this particular option and these factors will need to be thoroughly considered in the development of the strategy to be pursued in respect of the extraction of sharp sand and gravel in the WBMWLP.

Option 3.3: Do you think there is another strategy that the WBMWLP could develop? If so, please explain what you think it should be?

A number of alternative strategies were referred to with reference made to a reliance on the importation of minerals to meet local needs as well as the need to preserve sensitive areas in the authority. Again the issue of the wider role that West Berkshire plays in supplying aggregates to nearby authorities was commented upon by respondents.

The responses that were made in respect of this potential policy approach suggest that aggregate could be imported via road or rail from other authority areas. This is acknowledged, and working with neighbouring authorities, under the duty to cooperate, is a fundamental part of the development of the emerging plan. It is possible that, through the duty to cooperate, mineral reserves in less constrained areas, in neighbouring authorities, could be developed should the remaining reserves within the authority prove to be the subject of an unacceptable level of constraint.

However such an approach would have to be supported by a significant level of evidence and it is acknowledged that the British Geological Survey – South East Regional Assembly: South East Plan – Review of Mineral Supply and Demand Report (2006) suggests that there could be as much as 312,000,000 tonnes of sharp sand and gravel in West Berkshire that is not the subject of any environmental designations. It is accepted that this British Geological Survey report was a “high level” investigation and included a number of assumptions and caveats, however this does indicate that there is a potentially large volume of construction aggregates that are outside the AONB within West Berkshire that could meet future demand over the life of the WBMWLP.

It was also suggested by consultees that a reliance on recycled aggregates should be considered. NPPF paragraph 163 confirms minerals planning authorities should work with other relevant organisations to use the best available information to: develop and maintain an understanding of the extent and location of mineral resource in their areas; and assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary materials.

It is agreed that the role that recycled aggregates has to play in the overall construction aggregate mix is a factor that the plan must take into account that will influence the level of primary aggregate supply that the WBWMLP needs to address.

Summary

In summary, the majority of respondents suggested that the development of a strategy that seeks to meet the need for the extraction of sharp sand and gravel in West Berkshire in such a way that ensures that mineral sites are not located within, or adversely affecting the AONB, would be the most appropriate approach. However, there was some support for a strategy that involves the working of sharp sand and gravel both within and outside the AONB. Once again the issue of ensuring that the role that West Berkshire plays as a supplier of sharp sand and gravel was considered by respondents to be relevant to this issue.

At this early stage in the development of the emerging plan it is apparent, based on high level assessments by the BGS, that there does appear to be a significant volume of sharp sand and gravel within West Berkshire that is not in a location that is subject to environmental constraints. This suggests that a strategy that focuses on the delivery of sharp sand and gravel from sites outside the AONB, and other environmental designations, could be a realistic possibility for the plan to pursue. Such an approach would not necessarily prohibit the extraction of these minerals from within the AONB as criteria based policies could be included that set out exceptions to the general premise. It is anticipated that the final approach pursued in the plan will need to be supported by clear, robust evidence.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report, it was considered that an approach that seeks to avoid mineral extraction from the AONB, where possible, would be the most aligned to the identified sustainability objectives. These sustainability factors will be considered further in the development of the emerging plan and the relevant policies.

Minerals Issue 4: Soft Sand

Option 4.1: Should West Berkshire progress with a strategy that seeks to meet the need for soft sand from sites outside the AONB, recognising that the availability of viable reserves outside the AONB is limited, such that, the level of soft sand production in West Berkshire may have to be limited?

This option was supported by a number of respondents, with several respondents agreeing that, as far as possible, mineral demands for the authority should be met from outside this nationally important landscape designation, in line with the NPPF. However, if there is a need to work deposits within the AONB reference has been given to the notion of allocating areas of search where working might be acceptable, subject to stringent criteria.

Some respondents made reference to the importance of the soft sand reserves in the AONB and the lack of a viable source of this mineral in West Berkshire that is outside the AONB, whilst suggesting further work is required in respect of this matter, particularly given the level of housing development that is expected in West Berkshire in the next 10 years.

Concern was raised over the use of the term "soft sand" and the variability of the mineral deposits in West Berkshire.

It is acknowledged by the Authority that paragraph 115 of the NPPF confirms that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. It is also acknowledged that that paragraph 144 of the NPPF, which states that: "as far as is practical, provide for the maintenance of landbanks of non energy minerals from outside Areas of Outstanding Natural Beauty".

It is agreed that this proposed potential policy approach would also be generally aligned to paragraph 116 of the NPPF which, whilst setting a policy presumption against major development in the AONB, (and mineral extraction operations are highly likely to constitute major development) does set out a number of "exceptional circumstances tests" where major development may be acceptable.

It is considered that if the WBMWLP were to allocate sites or areas of search within the AONB then it would have to be on the basis that these exceptional circumstances tests have been considered and there are clearly demonstrated exceptional circumstances for such an approach to be adopted. It is accepted that further work will be required in respect of the level of need for these particular construction aggregate minerals, and the availability within West Berkshire, and the options for meeting that need from sites outside the AONB, or outside the authority. It is also agreed that the duty to cooperate, and discussions with other local authorities, could be critical to the development of the final strategy relating to these minerals.

It is generally acknowledged by the industry that aggregate minerals travel, on average, 30 miles (Mineral Products Association key facts report 2013). It is understood that there are a number of existing permitted soft sand sites in the authorities of Hampshire, Wiltshire and Oxfordshire, which could potentially supply the same market areas as a site located in West Berkshire. In addition there are known to be large volumes of soft sand permitted across the former south east region and in certain applications marine won materials can be used as a substitute for land won soft sand in mortar applications. Such matters, along with the level of need in West Berkshire, will need to be considered when determining whether there are exceptional circumstances that warrant the allocation of sites in the AONB.

It is also apparent that it is critically important that the terminology used in the WBMWLP is clearly defined.

Option 4.2: Should West Berkshire progress with a strategy that seeks to meet the need for soft sand from within the AONB? If you agree with this strategy, should the strategy identify a strategic area(s) or sites within the AONB where mineral extraction will be permissible?

This potential approach was not well supported, with it considered by some respondents to be contrary to the NPPF. Reference was made to ensuring that, as far as possible, mineral demands should be met from outside the AONB.

Respondents suggested that, if there is a need to work deposits within the AONB, consideration should be given to the notion of allocating areas of search where working might be acceptable, subject to stringent criteria and only following a rigorous examination of all possible factors should the plan allow an exemption to policy approach in the NPPF.

This approach did receive support from some respondents, suggesting that the importance of the mineral deposits in the AONB is such that consideration must be given to a policy approach whereby mineral extraction from the AONB is not precluded.

It is accepted by the Authority that paragraph 115 of the NPPF confirms that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. It is acknowledged that that paragraph 144 of the NPPF, which states that: “as far as is practical, provide for the maintenance of landbanks of non energy minerals from outside Areas of Outstanding Natural Beauty and that this does not prohibit the extraction of non energy minerals from within the AONB.

It is also acknowledged that paragraph 116 of the NPPF, whilst setting a policy presumption against major development in the AONB, (and mineral extraction operations are highly likely to constitute major development) does set out a number of “exceptional circumstances tests” where major development may be acceptable.

The exceptional circumstances “tests” at paragraph 116 of the NPPF are noted and it is agreed that if the WBMWLP were to allocate sites, or areas of search, within the AONB then it would have to be on the basis that these exceptional circumstances tests have been considered and there are exceptional circumstances for such an approach to be adopted. If the evidence required to support the WBMWLP identifies that there are exceptional circumstances whereby there is a need to progress with a strategy that actively promotes the extraction of sharp sand and gravel from the AONB, then it would need to be part of a strategically planned process, which may include strategic areas and sites.

The PPG (paragraph 008 for section 27, Reference ID: 27-008-20140306) confirms that: “in exceptional circumstances, such as where a local authority area is largely made up of designated areas such as Areas of Outstanding Natural Beauty, it may be appropriate for mineral planning authorities to rely largely on policies which set out the general conditions against which applications will be assessed”.

Generally speaking, the national policy relating to mineral extraction suggests that this potential policy approach would not normally be appropriate. It is therefore considered that there would have to be exceptional circumstances whereby the emerging plan actively allocates mineral extraction sites within the AONB, or other comparable environmental designations.

It is accepted that further work will be required in respect of the level of need for these minerals, and the availability within West Berkshire, and the options for meeting that need from sites outside the AONB, or outside the authority.

Option 4.3: Should West Berkshire progress with a strategy that seeks to meet the need for soft sand from sites outside the AONB, but recognise that there may be exceptional local circumstances where extraction of soft sand from within the AONB may be acceptable if, for example, it was to meet an overriding specified local need?

The level of support for this potential approach exceeded the level of opposition, although respondents made reference to the need to ensure that the definitions of "exceptional circumstances" and "local circumstances" need to be clear and robust if such an approach is pursued. In addition to ensuring that the definitions are clear respondents suggested that any policy would need to be clearly evidence based and subject to rigorous examination.

Other respondents suggested that the level of need for "soft sand" could be met from outside the authority, relying on imports. Some respondents suggested that the AONB is such a large constraint that to have a presumption against mineral extraction from within the AONB would place too great a pressure for extraction on the land outside the AONB.

There was also some outright opposition to this potential approach, suggesting it is too restrictive and prevents known viable resources from being worked.

It is accepted that approximately 75% of the Authority is designated as AONB and it is understood that there are viable reserves of soft sand located within the AONB. However the Authority notes that, paragraph 144 of the NPPF, states that planning authorities should: "as far as is practical, provide for the maintenance of landbanks of non energy minerals from outside Areas of Outstanding Natural Beauty". This statement in the NPPF does not prohibit the extraction of non energy minerals from the AONB, but this statement, coupled with the wording of paragraph 116 of the NPPF, makes it clear that, only in exceptional circumstances shall major development be permitted in such sensitive areas.

It is considered that if the WBMWLP identifies that there are exceptional circumstances whereby there is a need to progress with a strategy that actively promotes the extraction of sharp sand and gravel from the AONB, then it would need to be part of a strategically planned process, which may include strategic areas and sites.

It is accepted that further work will be required in respect of the level of need for these minerals, and the availability within West Berkshire, and the options for meeting that need from sites outside the AONB, or outside the authority.

The PPG (paragraph 008 for section 27, Reference ID: 27-008-20140306) confirms that: "in exceptional circumstances, such as where a local authority area is largely made up of designated areas such as Areas of Outstanding Natural Beauty, it may be appropriate for mineral planning authorities to rely largely on policies which set out the general conditions against which applications will be assessed".

It is understood that there are existing permitted reserves of these minerals found in surrounding authority areas that could supply the need for these minerals in West Berkshire. The importation of minerals raises a different suite of issues, however such an approach would appear to be complicit with the NPPF, which states that: "as far as is practical, provide for the maintenance of landbanks of non energy minerals from outside Areas of Outstanding Natural Beauty". However it is acknowledged that further work will be required in respect of the level of need and the options for meeting that need from sites outside the AONB, both within and outside West Berkshire as the plan develops.

It is also accepted that the NPPF also confirms, at paragraph 142, that "Minerals are essential to support economic growth and our quality of life". It is clear that there is a balance to be made in this regard that will need to be reconciled within the WBMWLP.

It is apparent that regardless of the approach pursued in respect of this issue it might be prudent for the plan to define what may constitute "exceptional circumstances" and / or "local needs" to aid in the understanding of the final policy approach.

Option 4.4: Do you think there is another strategy that the WBMWLP could develop? If so, please explain what you think it should be.

A number of alternative approaches have been distilled from the responses received to the consultation. A strategy that favours the exploitation of deposits outside of, or not affecting sensitive areas, gained support from some respondents. Reference was made to the potential for recycling operations to deliver alternative aggregates or marine sources of aggregates that could replace the land won demand.

Once again the issue of ensuring that the role that West Berkshire plays as a supplier of sharp sand and gravel was considered relevant to this issue.

It is has generally been the position of the minerals industry that recycled aggregates cannot be used to replace the uses that the reserves of soft sand found in West Berkshire are put too. However there have been significant advances in the quality of recycled aggregates in recent years such that, in the future, it may be possible for recycled aggregates to be used for the same purposes as the land won soft sand deposits found within the authority.

In addition it is understood that the soft sand deposits found in West Berkshire are not a particularly high quality deposit and generally used in mortar or concrete, as opposed to higher specification uses, such as use in plaster. Therefore it may be that the low specification of the sand in West Berkshire, coupled with the higher specification recycled aggregates being produced is such that recycled materials are a viable substitute.

In addition and indeed the British Marine Aggregates Produces Association confirms that marine sands can be used in the production of mortar for bricklaying, as well as screeds and renders. It is accepted that no marine won aggregates are landed in the authority; however it is known that a volume of marine sand is imported to the authority by rail.

It is considered that all these factors will need to be considered in the formulation of the final policy approach adopted in the WBMWLP relating to the strategy for meeting construction aggregate demands over the life of the plan. It is accepted that further work will be required in respect of the level of need for these minerals, and the availability within West Berkshire, and the options for meeting that need from sites outside the AONB, or outside the authority or meeting the need in some other way.

Summary
In summary an approach that enables the extraction of soft sand from sensitive areas, but only where that mineral is needed to supply local need, received the greatest level of support.

Numerous respondents suggested that the plan should progress with a strategy that seeks to meet the demand for soft sand from sites outside of the AONB. Some respondents suggested that the plan process would need to include the completion of relevant assessments to further inform this issue before a strategic decision could be made.

Generally speaking, the national policy relating to mineral extraction suggests that a policy approach that seeks to actively exploit soft sand resources from locations within the AONB would not normally be appropriate. It is therefore considered that there would have to be exceptional circumstances whereby the emerging plan actively allocates mineral extraction sites within the AONB, or other comparable environmental designations.

It is, however, accepted that further work will be required in respect of the level of need for these minerals, and the availability within West Berkshire, and the options for meeting that need from sites outside the AONB, or outside the authority, or in some other way will need to be carried out in advance of finalising the policy approach to be taken in this regard.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report, it was considered that an approach that seeks to avoid mineral extraction from the AONB, where possible, would be the most aligned to the identified sustainability objectives. These sustainability factors will be considered further in the development of the emerging plan and the relevant policies.

Minerals Issue 5: Safeguarding of minerals

Option 5.1: Should West Berkshire identify mineral safeguarding areas around potentially viable deposits of aggregates and if so, should a buffer applied around the deposits?

The option of allocating MSAs was well supported by those parties who made representations on this option. It was also generally agreed by consultees that buffer areas could be applied, but it was suggested that this should only be where/when it is appropriate to do so.

Some respondents objected to the potential policy approach, suggesting that such an approach could restrict other potential developments or that the safeguarding provisions could end up relating to land where mineral extraction is unlikely.

Some respondents indicated that there was a need to revisit the existing MSAs in the extant minerals plan and remove safeguarded areas that exist adjacent to land where minerals have been worked, or already steralised. Concern was raised over the applicability of buffer areas established at the deposit scale and some respondents suggested that it might be more appropriate to set them at the site scale to ensure they are effective.

The Authority notes that national policy stipulates that MSAs should be defined. Specifically, NPPF paragraph 143 states, inter alia, that in preparing Local Plans, local planning authorities should define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas to ensure the appropriate parties are consulted on non mineral development in such locations.

The PPG (2014) refers to the BGS Mineral safeguarding in England: good practice advice (2011). Paragraph 2.3.2 of this guidance confirms sterilisation of mineral resources can occur as a result of surface development directly overlying the mineral resource, or by development that is situated on or close to the boundary of a resource. Paragraph 4.2.8 of this guidance goes on to confirm that it may be appropriate to extend the MSA beyond the resource boundary. National guidance recognises therefore, that development in close proximity to a mineral resource can present a risk of sterilisation and supports the use of 'buffer zones' around a resource boundary.

While some consultees raised concerns that MSAs could restrict other forms of development, or that they would include land where mineral extraction is unlikely, it should be noted as per the BGS Mineral safeguarding in England: good practice advice (2011), that the presence of an MSA neither precludes other forms of development being permitted, nor conveys any presumption that the mineral will be worked. MSAs provide a policy tool which will be an alert to the fact that minerals may be sterilised by the proposed non-mineral development and that this should be taken into account by the planning process, both when making site allocations in development plans and during development management. If an application is submitted for mineral extraction within an MSA, the MSA designation itself does not provide any support for a grant of consent.

Option 5.2: Should West Berkshire identify mineral safeguarding areas around active mineral workings, as well as any preferred areas for mineral extraction identified in the WBMWLP?

The option of allocating MSA's for both deposits and sites was generally supported. Once again reference was made to ensuring that buffer areas are only applied, where appropriate. Some respondents suggested that all mineral deposits should be subject to safeguarding, including deposits within the designated / sensitive areas.

Some respondents objected to the potential policy approach, suggesting that such an approach could restrict other potential developments or that the safeguarding of minerals could relate to land where mineral extraction is unlikely.

Some respondents indicated the need to revisit the existing MSA's and remove safeguarded areas that exist adjacent to land where minerals have been worked, or already sterilised.

National policy stipulates that MSAs should be defined for locations of known mineral resources of local and national importance. Logic would dictate that active mineral workings and preferred areas are likely to fit these criteria. Specifically, NPPF paragraph 143 states, inter alia, that in preparing Local Plans, local planning authorities should define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas.

The PPG (2014) refers to the BGS Mineral safeguarding in England: good practice advice (2011). Paragraph 2.3.4 of this guidance states inter alia, that a complete safeguarding process will identify mineral resources from the best available information. It is considered that the mineral operators are likely to already be extracting from an active working, or have shown a clear intention to extract from a preferred area. There is therefore, a high probability that the mineral resources in active workings and preferred areas would be economically viable and should therefore be safeguarded.

Again there was some misunderstanding from consultees in respect of how the mineral safeguarding approach would be used. It should be noted, as per the BGS Mineral safeguarding in England: good practice advice (2011), that the presence of an MSA neither precludes other forms of development being permitted nor conveys any presumption that the mineral will be worked. MSAs provide a policy tool which will be an alert to the fact that minerals may be sterilised by the proposed non-mineral development and that this should be taken into account by the planning process, both when making site allocations in development plans and during development management. If an application is submitted for mineral extraction within an MSA, the MSA designation itself does not provide any support for a grant of consent.

The guidance makes little reference to the need to identify safeguards around existing mineral extraction sites or sites allocated in a plan, however it is highly likely that such sites, which by definition contain minerals, would be identified in MSA's in any case, if these are identified in the emerging plan. In terms of safeguarding minerals found in sensitive /designated areas, it is agreed that this would be prudent to ensure that, if non mineral development takes place in such areas the applicable safeguarding policies can be applied.

Option 5.3: Do you agree that there are the circumstances when surface development might be allowed over in-situ mineral deposits?

The majority of respondents who expressed a view on this matter agreed there was a need to recognise that there may be circumstances where non minerals development might be acceptable in locations where there are known mineral deposits to avoid planning blight,

making reference to the need to balance the encouragement for prior extraction referred to in the NPPF and the demand for development.

Other respondents disagreed referring to the importance of avoiding the sterilisation of mineral deposits being an overriding factor.

The PPG (2014) refers to the BGS Mineral safeguarding in England: good practice advice (2011). This BGS guidance generally supports the concept of there being circumstances where surface development may be allowed over in-situ mineral deposits. As per the BGS guidance: the presence of an MSA neither precludes other forms of development being permitted nor conveys any presumption that the mineral will be worked. MSAs provide a policy tool which will be an alert to the fact that minerals may be sterilised by the proposed non-mineral development and that this should be taken into account by the planning process, both when making site allocations in development plans and during development management. If an application is submitted for mineral extraction within an MSA, the MSA designation itself does not provide any support for a grant of consent. The process should ensure that minerals are not unnecessarily sterilised whilst allowing competing development to proceed if there is an overriding need for it.

Paragraph 5.2.3 of the BGS guidance suggests that a criteria-based safeguarding policy which controls development within MSAs should be developed and adopted. Such an approach would set out the circumstances where non-minerals development would be permitted within MSAs and provide guidance to LPAs and developers on how applications falling within MSAs will be treated.

Paragraph 5.2.6 of the BGS guidance confirms for some types of non-mineral application, the sterilising effect on mineral resources may be negligible (e.g. a house extension within a built up area). It is considered that it would be prudent for the authority to adopt a policy that specifies those types of proposed development that lie within an MSA but do not need to be considered on mineral grounds. The setting of exemption criteria will be of particular value in reducing the number of applications that need to be considered in urban areas where the majority of small householder applications are received.

Option 5.4: Are there any other considerations that should be taken into account in when considering how to safeguard known mineral deposits?

Respondents made reference to numerous other considerations that need to be taken into account when safeguarding mineral deposits. Reference was made to residential and amenity considerations, as was the need to protect the AONB and cultural and heritage assets. The guidance on this matter in NPPF was referred to by some respondents, as well as the British Geological Survey guidance on mineral safeguarding.

Although reference was made to numerous planning considerations which consultees felt should be taken into account when safeguarding, paragraph 4.2.3 of the Mineral safeguarding in England: good practice advice (2011) confirms MSAs should usually cover the whole resource and not be curtailed by other planning considerations.

The respondent's comments under this issue suggested some potential misconception of the principles behind mineral safeguarding. For clarity, safeguarding in the context of this Issue as per the NPPF, refers to the prevention of unnecessary sterilisation of minerals as well as the need to set out policies that encourage the prior extraction of minerals, where practicable and environmentally feasible.

As per the guidance, the presence of an MSA neither precludes other forms of development being permitted nor conveys any presumption that the mineral will be worked. MSAs provide

a policy tool which will be an alert to the fact that minerals may be sterilised by the proposed non-mineral development and that this should be taken into account by the planning process, both when making site allocations in development plans and during development management. If an application is submitted for mineral extraction within an MSA, the MSA designation itself does not provide any support for a grant of consent. The process should ensure that minerals are not unnecessarily sterilised whilst allowing competing development to proceed if there is an overriding need for it.

Regarding comments on the general impact on property in the area, paragraph 4.2.11 of the Guidance states that in exceptional circumstances the definition of MSAs to include urban areas may not be justified, and that this would be particularly the case where the method of working is unlikely to be acceptable in close proximity to an urban environment, such as blasting of hard rock resources. As there are no hard rock resources in West Berkshire this is unlikely to present a problem, although the mineral deposits below the urban areas in the authority may be considered to have been steralised by surface development a large scale urban re-development may provide an opportunity for extraction in the future, hence why the BGS guidance supports safeguarding deposits in such locations. Such an approach would be aligned to paragraph 4.2.10 of the BGS guidance, which confirms MSAs should be defined in urban areas to highlight the potential for extracting minerals (for example shallow coal, river terrace sand and gravel or Etruria Formation clays) beneath large regeneration projects and brown field sites.

The BGS guidance also suggests that non mineral development on sites, particularly on the fringes of the urban areas, may able to exploit the minerals as part of the development proposed, providing an economic advantage due to the availability of mineral on site, or the shorter distance to market if sold. Further, the defining of MSAs in urban areas avoids disputes over the definition of what constitutes an urban area and it reduces the need to amend MSAs to reflect urban expansion.

There was some concern over whether WBC would be ‘requiring’ or ‘encouraging’ the prior extraction of minerals if non-minerals development was proposed in an MSA, and whether this would compromise the development potential of the proposal. The Authority supports the view given in paragraph 5.2.3 of the BGS guidance, which confirms that a criteria-based safeguarding policy which controls development within MSAs is advised. This approach should set out the circumstances where non-minerals development would be permitted within MSAs and provide guidance to LPAs and developers on how applications falling within MSAs will be treated. The Authority acknowledges that, for some types of non-mineral application, the sterilising effect on mineral resources may be negligible (e.g. a house extension within a built up area).

It is recommended that MPAs adopt a policy that specifies those types of proposed development that lie within an MSA but do not need to be considered on mineral grounds. The setting of exemption criteria will be of particular value in reducing the number of applications that need to be considered in urban areas where the majority of small householder applications are received.

Option 5.5: Are there any other mineral deposits, other than sharp sand and gravel that you think should be safeguarded from other surface development?

Respondents to this option made reference to numerous other mineral deposits including chalk, coal, shale gas and soft sand deposits in West Berkshire. The guidance on this matter in NPPF was referred to, as well as the British Geological Survey guidance on mineral safeguarding.

National policy regarding safeguarding does not refer to the safeguarding of specific mineral resources. Paragraph 143 of the NPPF states, inter alia, that in preparing Local Plans, local planning authorities should define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas.

Paragraph 2.1.1 of the BGS Mineral safeguarding in England: good practice advice (2011) defines mineral resources as natural concentrations of minerals in or on the earth's crust that are or may become of economic interest because they are present in such form, quality and quantity that there is the potential for eventual economic extraction. Mineral resources are thus defined by economic as well as physical parameters.

Some respondents expressed a level of support for the wording of the current RMLP Policies 1 and 2 which refer to the 'husbanding' of 'mineral resources' (i.e. individual types of mineral deposit are not specified), and the fact that development that would sterilise the resources should be resisted unless certain criteria can be demonstrated. This intimates that there is some support for the safeguarding of all mineral resources subject to the conditions specified in RMLP 1 and 2.

In response to suggestions that soft sand and energy minerals should be safeguarded, the Authority is in generally in agreement with this; however it is likely that more evidence base work will need to be undertaken to ascertain the extent and steralisation issues relevant to these resources, particularly with respect to energy minerals given the extent of the deep coal deposits in the authority and the working methodologies employed in working unconventional energy minerals.

Summary

The responses to the options raised in respect of this issue indicate that there is a clear preference for the safeguarding of the mineral resources in West Berkshire through the plan making process. The Authority agrees that such an approach would be aligned to the National Planning Policy on this matter.

It was clear from the responses that the identification of such safeguarded minerals should not preclude surface development from taking place, depending on the circumstances of the case. It was also clear that, in line with national policy, the safeguarding of mineral resources within the plan area that are of local and national importance, to ensure that the minerals are not needlessly sterilised by non-mineral development, should not creating a presumption that resources defined will be worked. Similarly the proposal to extract minerals from an identified safeguarded area would not benefit from any support for the grant of consent.

The approach of protecting active mineral workings and identified preferred areas, and the areas surrounding such locations was also supported, however the Authority acknowledges that such locations are likely to be safeguarded by default, if the mineral resources in the authority are subject to safeguarding policies.

A number of the points raised by the consultees were planning considerations, and thus more applicable to the application stage in the process, however, national guidance indicates that MSAs should generally cover the whole resource and not be curtailed by other planning considerations. Considering national policy and guidance it would also seem prudent to safeguard mineral resources in urban areas, while having a criteria based policy approach whereby certain developments are exempt, and prior mineral extraction is 'encouraged' rather than 'required'.

There was support for the safeguarding of mineral resources other than sharp sand and gravel, the most popular of these being ‘soft sand’ or ‘building sand’. National policy and guidance does not stipulate specific types of mineral resource and therefore it would likely be prudent to extend the safeguarding to other mineral types that are, or may become, of economic interest.

Minerals Issue 6: Existing industrial users of minerals

Option 6.1: Should the WBMWLP acknowledge the existence of the Beenham tile factory through the provision of an identified landbank of aggregates designated solely for use by the factory?

Some of the consultees who responded on this particular option recognised that the Beenham tile factory was a facility of some importance in the Authority area. However, the majority of parties who expressed a view on this matter opposed this potential policy approach. Reference was made to adopting such a policy approach setting a dangerous precedent and providing a specific allocation of mineral reserves for one user could be anticompetitive.

However, some of those respondents who did support this potential approach made reference to the fact that if the factory utilised clay in the production process, it would benefit from a separate landbank provision (paragraph 146 of the NPPF).

The Authority acknowledges that paragraph 145 of the NPPF stipulates that minerals planning authorities should plan for a steady and adequate supply of aggregates by making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. The NPPF makes reference to longer periods potentially being appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites. In addition the NPPF confirms that planning authorities should calculate and maintain separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.

It is understood that the sharp sand and gravel used in the manufacture of concrete tiles at the Beenham Tile factory is not a specialist material and the factory imports as dug minerals that are won locally. These minerals are processed at the factory for use in tile manufacturing. The manufacture of tiles also involves soft sand, but is understood that there are no suitable deposits of soft sand found within West Berkshire, and therefore this component is currently imported.

Historically there has never been a specific aggregates landbank for this tile factory and therefore the aggregate needs of this manufacturer have been met by the "general" construction aggregates market and the demand met by sites that sell minerals to both the factory and the open market. Therefore the needs of the factory would be accounted for in the need calculations for the authority (based on the 10 year average of sales, as required by the NPPF and reported in the LAA).

Comments were received which likened the manufacture of the concrete tiles to a clay manufacturing facility, and which advocated a dedicated landbank (circa 25 years) being allocated for the Beenham Tile Factory.

It is agreed that the NPPF paragraph 146 confirms that MPAs should plan for a steady and adequate supply of industrial minerals by, inter alia, providing a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment, as follows: at least 10 years for individual silica sand sites; at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant, and for silica sand sites where significant new capital is required; and at least 25 years for brick clay, and for cement primary and secondary materials to support a new kiln. However, the

national policy does not however, make provisions of this nature for producers of concrete products.

Given that the minerals used by this facility, that can be extracted locally, are no different to the minerals sold to the general construction industry it could be complicated to allocate a separate landbank specifically for one end user. The allocation of preferred areas for mineral extraction that could only be used by the tile factory could raise concerns over competition. If consent was granted for a mineral site that could only supply aggregates to the factory then, arguably, the factory could dictate the price for the minerals knowing that the deposit could not be sold to the open market for, potentially, a more lucrative price.

Whether the specification of the sharp sand and gravel required for the manufacture of tiles at the Beenham Tile Factory is suitably specialist to warrant a bespoke landbank is a matter that is likely to require further evidence base work to be undertaken. However, as the factory has historically relied upon locally won concreting aggregates in the manufacture process it is apparent that this manufacturing process does not utilise aggregates of a specific type or quality. Therefore, at this stage it is considered unlikely that such an approach as that set out in this option should be pursued. An alternative option for the plan could be to seek to plan for a landbank greater than the 7 years referred to in the NPPF to assist in ensuring a long term supply of aggregates in the authority area.

Option 6.2: Should the WBMWLP acknowledge the existence of the existing industrial users, such as the tile factory, asphalt plant and concrete batching plants, through the consideration and assessment of the overall demand for aggregates in West Berkshire?

This option was well supported by respondents with references made to the need to supply aggregates to all industrial users, who supply such products to fulfil the constructional needs of West Berkshire and nearby authority areas. The majority of respondents who commented on this issue acknowledged that the needs of these industrial users of aggregates must be taken into account in any needs assessments carried out as part of the plan making process.

Reference was also made to the need to ensure that the economic benefits and demand for aggregates do not result in the creation of adverse impacts and that planning considerations / designations are also a key part of the assessment process.

Some respondents suggested that the demands of such users should not be accounted for.

It is acknowledged that the raw aggregates used in the production of asphalt in West Berkshire are imported aggregates (hard rock, which is not found in West Berkshire). The concrete batching plants in the authority use a mix of imported aggregates (hard rock in the case of facilities located near to / on the railhead site) and minerals won locally (land won sand and gravel in the case of facilities located on/near mineral processing plants. It is understood that the Beenham tile factory uses a mix of both imported aggregates (soft sand) and land won aggregates from within the authority (sharp sand and gravel) as well as recycled aggregates (crushed non specification concrete tiles).

The PPG (2014) confirms that LAAs (which help underpin the assessment of the level of need for minerals) should consider all aggregate supply options, including (inter alia): imports into and exports out of the mineral planning authority area. The mineral planning authority must capture the amount of aggregate that it is importing and exporting as part of its Assessment (this will usually be captured through the four yearly Aggregate Minerals Survey); and land-won resources, including landbanks and site specific allocations (ref: 27-063-20140306).

Historically there has never been a specific derivation of the uses of construction aggregates won from extraction sites within the authority, so the needs of all these users are amalgamated into the overall level of demand for construction aggregates market. Therefore the needs of such users would be accounted for in the need calculations for land won minerals in the authority (based on the 10 year average of sales, as reported in the LAA).

Demand for both imported aggregates, and aggregates extracted from within West Berkshire are considered within the LAA. Where sand and gravel is sourced from the open market within West Berkshire this will form part of the sales data which is captured as part of the LAA.

Given the approach towards calculating aggregate needs that is provided for via the production of an LAA the Authority considers that the use of historic sales of primary aggregates as an indicator for future demand (as required by the LAA) adequately captures the existing demand for aggregates for existing users of construction aggregates.

Option 6.3: Should the existence of the existing industrial users, such as the tile factory, asphalt plant and concrete batching plants, be recognised through a policy approach that supports the use of indigenous primary aggregates within West Berkshire?

This option received support from numerous respondents who commented on this issue. Some respondents raised opposition to this potential policy approach, with reference to dangerous precedents being set. Some respondents referred to the sustainability benefits of encouraging the use of indigenous material, whilst also recognising the need for imports of some aggregate materials, such as crushed rock. Reference was also made to the need to ensure that planning considerations / designations are also a key part of the assessment process.

The use of indigenous industrial primary aggregates is supported in national policy from the point of view that NPPF paragraph 143 states, inter alia, that in preparing Local Plans, local planning authorities should so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously.

However, the raw materials for the asphalt plant, as well as the other manufacturing facilities is partly based on imported aggregates making it difficult or impossible to plan for these materials to be sourced locally. In addition these facilities also use other sources, such as recycled aggregates.

The Authority agrees that the existence of manufacturing facilities within West Berkshire must be accounted for within the emerging plan, however it is considered that a policy approach that seeks to husband the mineral resources found within the authority area, solely for the use by users within the authority area, could be both impractical to achieve and also restrict competition and therefore not be an appropriate approach for the plan to pursue.

Option 6.4: Should the tile factory be treated the same as any other end user of aggregates in West Berkshire?

This option was generally well supported with the tile factory being regarded as the same as any other end user by many respondents. However, respondents confirmed that the demand generated by the tile factory needs to be accommodated in the overall assessments of mineral demand.

A limited number of respondents suggested that this approach is incorrect, and suggest that the tile factory is not the same as other aggregate users in West Berkshire, indicating that it needs to be considered in a different way to other aggregate users.

As detailed above (option 6.1), it appears unlikely that national policy would support the allocation of a bespoke landbank for the Tile Factory and therefore, and on the basis of information available at this stage, it is logical that, by default it should be treated like any other end-user of construction aggregates.

NPPF paragraph 145 dictates that minerals planning authorities should plan for a steady and adequate supply of aggregates by, inter alia: making provision for the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. The NPPF acknowledges that longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites. The NPPF also endorses calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.

Historically there has never been a specific aggregates landbank for this tile factory and therefore the needs of this manufacturer have been met by the "general" construction aggregates market and the demand met by sites that sell minerals to both the factory and the open market. Therefore the needs of the factory would be accounted for in the need calculations for the authority (based on the 10 year average of sales, as reported in the LAA). Therefore, if the emerging plan continues to utilise the need assessment approach endorsed by the NPPF, then the aggregate needs of the factory would be accounted for and planned for into the future (assuming that the authority can continue to plan to meet the identified level of need, and allocated sites come forward). It is considered that such an approach would acknowledge the level of demand for construction aggregates generated by the tile factory and this would be accommodated in the overall assessments of mineral demand.

Option 6.5: Do you agree that the existing and any subsequently approved industrial users of construction aggregates should be safeguarded from other forms of development?

There was a relatively high level of support received for the appropriate safeguarding of existing industrial users. Specific reference was made to the Theale railhead sites and Beenham tile factory. Such an approach was referred to as being complicit with the NPPF by a number of the respondents who commented on this option.

Some consultees did not agree with this potential policy approach with a limited number of respondents suggesting that that the industrial users of aggregates are commercial enterprises, which are better placed to determine their locational needs than the planning authority.

The Authority considers that there may have been some misunderstanding in respect of the suggested safeguarding approach. For clarity, the premise of safeguarding these sites from other forms of development would be to seek to maintain the availability of these valuable manufacturing facilities that are intrinsic to the construction industry and the economy at both the local and wider than local level. The uses of these sites for these purposes are established and the resultant impacts are confined to these areas. The necessary infrastructure (rail heads) and area of land required for these facilities, as well as nature of the development potentially conflicting with other types of development (particularly

residential) mean that it would potentially be very difficult to locate suitable new sites for these facilities. Therefore, potentially, without safeguarding, if the land was sold, and other types of development were to take the place of these facilities, then there is a high chance that they would be permanently lost from the locality.

National policy is generally supportive of a safeguarding approach and paragraph 143 of the NPPF states inter alia, that in preparing Local Plans, local planning authorities should safeguard: existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

Concern was raised over the fact that this approach may compromise future planning applications for non-safeguarded uses. This would not necessarily be the case if there were sound planning reasons to override the safeguarding policy. The safeguarding policy could potentially include wording to ensure that, having regard to all relevant planning considerations, if there was an overriding case in favour of allowing a proposed non-safeguarded development to proceed, then it could proceed. Alternatively as with any planning application, the decision on any application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. There will be numerous policies within the development plan, potentially only one of them relating to the safeguarding of industrial users of construction aggregates, and in certain circumstances one policy may be afforded greater weight than others. Also in certain instances a material consideration could potentially override the suggested safeguarding policy.

Summary

The responses to this issue suggest that the respondents to the consultation were supportive of the plan accounting for the existing industrial users of construction aggregates in West Berkshire when determining the need for minerals. In addition there was also general support for an appropriate safeguarding approach for such users from other development types.

At this stage it appears to the Authority that there are no users of locally won construction aggregates that warrant the establishment of a bespoke landbank. Although, this is a matter that is likely to require further work to be undertaken as the plan develops.

Historically there has never been a specific derivation of the uses of construction aggregates won from extraction sites within the authority. As such the needs of all construction aggregate users are amalgamated into the total level of demand for construction aggregates. Therefore the needs of such users would be accounted for in the need calculations for land won minerals in the authority (based on the 10 year average of sales, as reported in the LAA).

It follows that, if the emerging plan continues to utilise the need assessment approach endorsed by the NPPF, then the aggregate needs of the existing users would be accounted for and planned for into the future (assuming that the authority can continue to plan to meet the identified level of need, and allocated sites come forward).

Although some concern was raised about the fact that the safeguarding of these facilities may compromise future planning applications for non-safeguarded uses, it is the view of the Authority that this would not necessarily be the case if there were sound planning reasons to override the safeguarding policy.

Minerals Issue 7: Recycled and secondary aggregates

Option 7.1: Do you agree that recycled aggregates can replace primary aggregates, and if so, do you agree that they can only replace crushed hard rock?

Most respondents agreed that recycled aggregates can replace primary aggregates, but reference was made to the fact that it is highly likely that there will remain a demand for primary aggregates and consultees made reference to the need for a balanced approach to be pursued in the emerging plan.

Reference was made to recent advances in recycled aggregate production, including the use of demolition waste washing plants, to produce a greater range of higher quality products. Consultees stated that these advances had resulted in a greater range of complementary products being produced, however reference was made to recycled aggregates being unlikely to completely replace primary construction materials. Some respondents suggested there was a need for permanent specialised recycling plants to be provided in the authority to ensure an ongoing adequate supply of such materials to the market.

Most respondents, who agreed that recycled aggregates can replace primary aggregates, confirmed that recycled aggregates can replace a wider range of aggregates than just crushed rock. Some respondents suggested that recycled aggregates could not replace primary aggregates, but provided no rationale behind this view.

Reference was made by respondents in relation to the need to ensure that any strategy developed considers the relevant designations and planning constraints that may be impacted upon by the chosen strategy.

This option was more of an open-ended option that was perceived to be a useful information gathering exercise. The Authority recognises that paragraph 143 of the NPPF confirms, inter alia, that in preparing Local Plans, local planning authorities should so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously. This approach proposed in the NPPF supports the Councils opinion that, to some extent, recycled aggregates have a role to play in construction and they can replace primary aggregates.

Option 7.2: Should the WBMWLP seek to maximise the production of recycled aggregates production?

This option was strongly supported, with the majority of parties responding on this option supporting this potential policy approach. However, caution was raised in respect of the fact that the sources of construction and demolition waste are not infinite and that recycled aggregates cannot produce materials that meet all the same end markets as primary aggregates, indicating that there will always be a need for primary aggregates.

Again reference was made by respondents in relation to the need to ensure that any strategy developed considers the relevant designations and planning constraints that may be impacted upon by the chosen strategy.

Reference was made by numerous respondents in relation to the need to ensure that any strategy developed considers the relevant designations and planning constraints that may be impacted upon by the chosen strategy.

The Authority considers that the NPPF is supportive of the use of recycled aggregates, specifically paragraph 143 states, inter alia, that in preparing Local Plans, local planning authorities should:

so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;

The NPPF also indicates that local planning authorities should seek to safeguard the following types of mineral sites / infrastructure:

-existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and

-existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

NPPF paragraph 145 also states inter alia, that minerals planning authorities should plan for a steady and adequate supply of aggregates by: preparing an annual Local Aggregate Assessment, either individually or jointly by agreement with another or other mineral planning authorities, based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources).

In summary these references in the NPPF clearly indicates that recycled aggregates have a role to play in meeting the overall level of demand for construction aggregates and confirms the Authority's view that recycled aggregates can replace primary aggregates and that priority should be given to the use of recycled and secondary aggregates in advance of primary aggregates.

However the Authority acknowledges that there is always likely to be a demand for primary aggregates, and that the availability of recycled aggregates are finite (but so is the availability of primary aggregates). The Authority considers that the emerging plan should seek to maximise the production of recycled aggregates, where appropriate, taking all planning considerations into account.

Option 7.3: Do you think sites in the AONB would be appropriate locations for processing recycled and secondary aggregates? If so please provide reasoning.

This option received a mixed response with an almost equally level of support and opposition to the potential location of recycled and secondary aggregate processing facilities in the AONB. Reference was made to the need to ensure that the same level of rigor is applied to secondary and recycled aggregate operations as there would be for primary aggregate operations.

Some respondents made reference to the possibility of small scale appropriately scaled development to be acceptable in the AONB, and the need to site facilities to avoid excessive transportation distances. Reference was also made to the possibility of co-locating such facilities with primary aggregate extraction and processing sites, if sites producing primary aggregates are located in the AONB.

The Authority acknowledges that the landscape and visual impact of development on the AONB is a major issue that the emerging plan will need to be mindful of. It is noted that

paragraph 115 of the NPPF states that "great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty".

NPPF paragraph 116 states that "planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

> the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
> the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way;
> and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated".

The environmental impact of aggregate producing operations has the potential to be significant and NPPF paragraph 143 states, inter alia, that in preparing Local Plans, local planning authorities should set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health.

It is noted that paragraph 110 of the NPPF confirms that in preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.

Additionally, the NPPW (2014) paragraph 5 confirms that waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against, inter alia, physical and environmental constraints on development.

It is considered by the Authority that, as opposed to adopting a policy approach that would set out an outright prohibition on recycled aggregate production in the AONB (which would not comply with the NPPF) it would be prudent for criteria based policies to be developed, against which such proposals could be considered, the impact of such proposals on the AONB would be one such (albeit important) consideration.

Option 7.4: Would it be appropriate to identify Preferred Areas / sites to provide a presumption in favour of development if any additional processing capacity is required?

This option was strongly supported with many respondents confirming a preference towards the plan process identifying and allocating preferred areas for recycled and secondary aggregates. Reference has also been made to the need to safeguard existing recycled and secondary aggregate producing sites.

Some respondents made reference to the difficulty in finding sites for aggregate recycling and suggest the use of areas of search or locational criteria and criteria based policies instead.

Again reference was made by respondents in relation to the need to ensure that any strategy developed considers the relevant designations and planning constraints that may be impacted upon by the chosen strategy.

This option is considered to be generally aligned with national policy, specifically NPPF paragraph 145, which states that minerals planning authorities should plan for a steady and adequate supply of aggregates by, inter alia, "making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans taking account of the advice of the Aggregate Working Parties and the National Aggregate Coordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate".

Additionally, the NPPW (2014) paragraph 4 states, inter alia, that waste planning authorities "should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations".

At this stage the way in which the emerging plan will seek to meet the identified construction aggregate need for the authority remains undecided. However it is agreed that if there is an identified need for new recycled aggregate production, and if new acceptable sites for such production are promoted and deemed acceptable, then it would seem prudent for preferred areas to be identified to ensure the delivery of such a strategy. It is also considered that criteria based policies should also be developed to enable the consideration of prospective applications that may be received during the life of the plan.

Option 7.5: Do you agree that existing and planned facilities that handle process and distribute secondary and recycled aggregates should be safeguarded from other types of development?

The potential approach of safeguarding sites that are involved in the production of secondary and recycled aggregates was well supported. Respondents suggested that safeguarding such sites would be a prudent approach, where such facilities assist in the delivery of the strategic objectives of the plan and where such facilities are appropriately located.

However, this potential option was not supported by a number of respondents, with reference made to such sites being commercial enterprises that may exist in inappropriate locations.

Again reference was made by respondents in relation to the need to ensure that any strategy developed considers the relevant designations and planning constraints that may be impacted upon by the chosen strategy.

The Authority considers that the NPPF is generally supporting of this potential policy approach in that paragraph 143 of the NPPF states inter alia, that in preparing Local Plans, local planning authorities should safeguard:

- existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
- existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

There appeared to be some misunderstanding over the intention for safeguarding such sites by some respondents. For the sake of clarity, the premise of safeguarding these sites from other forms of development is to maintain the capacities for both the managing of construction and demolition waste, and for the production of recycled/secondary aggregate. Where the sites are already in existence the uses of these sites for these purposes are established and the resultant impacts are confined to these areas. Similarly if it is planned for these facilities to be developed in certain locations, though a preferred areas approach,

they will have been assessed as suitable in planning terms. The Authority acknowledge that the necessary infrastructure and land required for these facilities, as well as nature of the development, means that such sites can potentially conflict with other types of development (particularly residential) meaning that it can be difficult to identify suitable sites for these type of facilities. Therefore, potentially, without safeguarding, if the land was sold and other types of development were to take the place of these facilities (existing or planned), then there is a chance that they would be permanently lost from the locality.

Comments were received showing concern that other forms of development (which may be appropriate for the location) could be prevented. However, the safeguarding policy could potentially include wording that includes the need to have regard to all relevant planning considerations, and reference made to where there is an overriding case in favour of allowing a proposed non-safeguarded development to proceed, then it could proceed. Alternatively as with any planning application, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. There will be numerous policies within the development plan, potentially only one of them relating to the safeguarding of secondary and recycled aggregate production facilities, and in certain circumstances one policy may be due more weight than others. Also in certain instances a material consideration could potentially override the safeguarding policy.

Summary

Many of the respondents who made comments that were applicable to this issue made reference to the need to ensure that any strategy that is developed needs to consider the relevant designations and planning constraints that may be impacted upon by the chosen strategy; this is agreed by the Authority.

Respondents were supportive of the policy approaches that would see the maximisation of secondary and recycled aggregate production and considered that such aggregates were an important part of the overall aggregate mix that is produced and used in West Berkshire, and beyond. As such, the potential for allocating preferred areas for such facilities, and the safeguarding of existing facilities was seen as being beneficial by numerous respondents.

National policy is supportive of the use of recycled aggregates, and the safeguarding of recycled and secondary aggregate producing sites. However the Authority acknowledge that the supply of construction and demolition waste is not necessarily reliable or infinite, and that the end uses or recycled aggregate may not necessarily be the same as that of primary.

It is considered that, as opposed to adopting a policy approach that would set out an outright prohibition on recycled aggregate production in any specific designated area, it would be prudent for criteria based policies to be developed, against which such proposals could be considered, the impact of such proposals on the locality.

Option 7.4 aligns with national policy in that it supports the allocation of preferred areas for developments to make provision for the various elements of the LAA including recycled and secondary aggregate production. This option was strongly supported by consultees, and broadly speaking the Authority considers it would seem that it is a suitable policy approach.

Option 7.5 is also supported by national policy in that the safeguarding of recycled and secondary aggregate producing facilities in Local Plans is advocated. The option was also well supported in terms of the consultees. This is also considered by the Authority to be a sound policy approach.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered

that options 4 and 5 were likely to be the most aligned to the sustainability objectives. These sustainability factors will be considered further in the development of the emerging plan.

Minerals Issue 8: Movement of aggregates

Option 8.1: Should West Berkshire progress with a strategy that seeks to rely primarily upon rail based transport for the importation, exportation and within District movement of aggregates? Do you agree further work would be required to deliver such a strategy?

The premise of utilising rail based transportation methods for minerals was generally well supported. However, reference was made to this transport method as being unsuitable for the primary transportation method for aggregates pursued by the plan.

Some respondents suggested that a reliance on rail transportation would be unrealistic, but this transportation methodology could be suitable for the importation and exportation of some types of construction aggregates. Reference was made to the potential to review the possibility of re-opening former sidings sites by a limited number of respondents. Concerns were also raised in respect of the potential risk to the rail network from mineral development where extraction takes place adjacent, or in close proximity, to the rail network.

It is acknowledged that many of the consultees responding on this option expressed a preference for a reliance on a mix of road, rail and water based transport that is informed by the distances involved and sustainability of the proposed mode. The Authority agrees that the premise of such a mix in transportation methodologies is supported by the NPPF (paragraph 35) which states that "plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people."

It is also noted that paragraph 30 of the NPPF states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport." It is reported that using rail freight produces 3.4 times less CO^2 per tonne-km than road transport, which means that switching to rail freight could give a 70% reduction in CO^2 emissions compared to the equivalent road journey (DaSTS, 2008).

Paragraph 143 of the NPPF states that "in preparing Local Plans, local planning authorities should safeguard existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail…." This suggests that there is a recognition that the types of facilities indicated in this paragraph of the NPPF might be suitable for the transportation of minerals.

Paragraph 173 of the NPPF also states that "pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened". If the plan were to pursue an approach that required the use of rail transportation for the movement of minerals then the necessary infrastructure required to achieve this potential approach could well be prohibitively expensive and thus contrary to the NPPF.

West Berkshire Council also has adopted policies within the Local Transport Plan (Policy LTP K12 (Freight) which promotes the Freight Route Network and sustainable freight transportation by rail or water) and the West Berkshire Core Strategy (Policy CS 13 (Transport) which considers potential impacts upon climate change, the environment and refers to the Freight Route Network).

The Authority considers that an approach that places an emphasis on rail as the primary transportation methodology for the movement of construction aggregates would not be an appropriate approach to pursue.

Option 8.2: Should West Berkshire progress with a strategy that seeks to rely primarily upon road based transport for the importation, exportation and within District movement of aggregates?

Some respondents suggested that this was the only economically viable option, with a reliance on rail or water based transportation methodologies being prohibitively expensive. Other respondents suggested that this approach was inappropriate, with the road network being unable to accommodate further vehicle movements. Reference was also made to the need to ensure that HGV movements should be kept to a minimum. Most respondents suggested that a more balanced approach should be pursued through the plan with road based transportation being part of the overall mix of movements (with a preference given to non road based transportation).

Again many consultees indicated preferential support for a reliance on a mix of road, rail and water based transport that is informed by the distances involved and sustainability of the proposed mode. It is noted by the Authority that paragraph 30 of the NPPF states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport." The Authority notes that the Carbon Plan: Delivering our Low Carbon Future states that "Low carbon transport: Transport is a major contributor to the UK's energy demand and greenhouse gas emissions, creating 24% of the UK total in 2009. Most of those emissions come from the oil-based fuels we rely upon for road transport. A step-change is needed to move away from fossil fuels and towards ultra-low carbon alternatives such as battery electric or fuel cell vehicles." As such, it is likely that one aim of the emerging plan could be to promote the most sustainable strategy (although other relevant planning factors will influence this).

West Berkshire Council also has adopted policies within the Local Transport Plan (Policy LTP K12 (Freight) which promotes the Freight Route Network and sustainable freight transportation by rail or water) and the West Berkshire Core Strategy (Policy CS 13 (Transport) which considers potential impacts upon climate change, the environment and refers to the Freight Route Network, local transport network and the strategic road network). The Council's Freight Strategy, November 2014, forms part of the Local Transport Plan is also a relevant consideration. This strategy includes the Freight Route Network map, which sets out the routes within the district where freight movements are encouraged.

The Authority considers that an approach that places an emphasis on road as the primary transportation methodology for the movement of construction aggregates would not be an appropriate approach to pursue given that this could result in a strategy being pursued that does not fully consider more sustainable transportation methodologies.

Option 8.3: Should West Berkshire progress with a strategy that seeks to rely primarily upon water based transport for the importation, exportation and within District movement of aggregates? Do you agree further work would be required to deliver such a strategy?

Reference has been made to the limited amount of water infrastructure in the authority, which would impact upon the potential for this transportation method to be utilised with the specific requirements of a mineral extraction/processing or waste management site. Other

respondents suggested that water is unsuitable as the primary transportation method for aggregates.

General support for this approach was received, based on the general 'sustainability credentials' for transportation; however it was recognised by respondents that further work would be required to understand the potential likely deliverability or applicability of this strategy within the emerging WBMWLP. Again respondents referred to the need to adopt a balanced approach where a variety of transportation methodologies can be employed.

Again many consultees indicated preferential support for a reliance on a mix of road, rail and water based transport that is informed by the distances involved and sustainability of the proposed mode. It is noted by the Authority that paragraph 30 of the NPPF states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport."

Paragraph 173 of the NPPF also states that "pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened". If the plan were to pursue an approach that required the use of water based transportation for the movement of minerals then the necessary infrastructure required to achieve this potential approach could well be prohibitively expensive and thus contrary to the NPPF. In addition it is noted that not all mineral deposits in the authority are well located to utilise water based transportation methods, in addition it is possible that there may be insufficient capacity on the canal network to realistically pursue such an approach.

The Authority considers that an approach that places an emphasis on water as the primary transportation methodology for the movement of construction aggregates would not be an appropriate approach to pursue.

Option 8.4: Should West Berkshire progress with a strategy that seeks to rely on a mix of road, rail and water based transport for the importation, exportation and within District movement of aggregates that is informed by the distances involved and sustainability of the proposed mode?

This approach was generally the most supported option for this issue. It was suggested by respondents that the over reliance on any one form of transport was unrealistic and less sustainable than a mix which provides more choice and less impact on the infrastructure on any one transportation method. As such, this strategy was generally viewed by consultees as the most balanced and sustainable approach.

The Authority notes that paragraph 8 of the NPPF states that "to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions." This is supported by paragraph 30 of the NPPF which states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport." The key issue considered to be relevant to this matter is the fact that the chosen transportation strategy needs to be reasonable and sustainability of any transportation method will vary dependent on the specific site.

It is likely that rail based transport will remain a favoured method of transportation for construction aggregates that travel long distances (for example the importation of hard rock to the authority) but for shorter, within district, movements road may well remain the most sustainable (and/or only) option available.

The soundness of the local plan (including proposed transport strategy/policies) will be considered by an independent Planning Inspector on the following criteria which is stated within the NPPF, as such a sound plan must be positively prepared, justified, effective (the plan should be deliverable over its period) and consistent with national policy (which will include consideration of the NPPF and PPG).

West Berkshire Council also has adopted policies within the Local Transport Plan (Policy LTP K12 (Freight) which promotes the Freight Route Network and sustainable freight transportation by rail or water) and the West Berkshire Core Strategy (Policy CS 13 (Transport) which considers potential impacts upon climate change, the environment and refers to the Freight Route Network, local transport network and the strategic road network). The Council's Freight Strategy, November 2014, forms part of the Local Transport Plan is also a relevant consideration. This strategy includes the Freight Route Network map, which sets out the routes within the district where freight movements are encouraged.

Summary

In summary it was clear that the majority of respondents on this issue favoured an approach where a mix of transportation methodologies are employed, but suggested that there should be a preference given to non-road based transportation.

It is agreed by the Authority that such an approach would be likley to be the most appropriate and sustanable approach for the emerging plan to pursue. An over reliance on any one transportation methodology would not be prudent, practical, or always deliverable therefore a strategy for the importation, exportation and within District movement of aggregates that is informed by the distances involved and sustainability of the proposed mode would seem the most prudent approach to be pursed in the emerging plan.

Such an approach would be supported by paragraph 30 of the NPPF which states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport." The key issue considered to be relevant to this matter is the fact that the chosen transportation strategy needs to be reasonable and sustainability of any transportation method will vary dependent on the specific site.

Minerals Issue 9: Importation of Primary aggregates and other materials by Rail

Option 9.1: Do you think that the capacity of the present rail depots should be reviewed, in order to provide for more capacity for importing minerals from outside West Berkshire?

This potential policy approach relating to importation of construction aggregates by rail was generally well supported by the responding consultees, however concern was raised over the need to fully understand the rail infrastructure and capacities before this approach could be pursued.

Some respondents suggested that the capacity of the existing rail depots in West Berkshire is greater than the current throughput, and that this had been confirmed by historic capacity studies. Some consultees raised concern in respect of the potential risk to the rail network from mineral development adjacent, or in close proximity, to the rail network.

It is noted by the Authority that the importation of primary aggregates to the rail depots in West Berkshire is likely to meet a wider than local need, due to the limited number of operational rail depots across the country. As such, it is likely that any impacts of existing rail depot sites or current site capacities could be a 'strategic matter' for discussion as part of the 'duty to cooperate'.

To date, the main report available to the Authority that can be used to define existing rail depot site capacities is a South East England Regional Assembly (SEERA) commissioned report (Aggregate Wharves and Rail Depots in South East England) which concluded that the freight path capacity is likely to be the major restricting factor for further supply to the south east region. It is acknowledged that the NPPF (paragraph 158) states that "each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area." As such, consideration will need to be given to whether any substantial circumstances have changed which could invalidate the conclusions of this report.

It is widely acknowledged that the biggest advantage of rail based movements of minerals and waste is the environmental benefits that can be achieved. It is reported that using rail freight produces 3.4 times less CO^2 per tonne-km than road transport, which means that switching to rail freight could give a 70% reduction in CO^2 emissions compared to the equivalent road journey (DaSTS, 2008).

Many references are provided within the NPPF to safeguarding/allocating sites (which could include existing, operational sites), such as rail depots which provide transport choice and would have very limited site opportunities due to specific site topography, locational, infrastructure provision costs, etc. This is encapsulated within paragraph 41 of the NPPF which states that "local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice."

It is noted that paragraph 8 of the NPPF states that "to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions." This is further supported by paragraph 30 which states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning

authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport."

It is agreed by the Authority that there is a need to understand the likely existing capacity at the existing railhead sites better, ideally through a review, to ensure that the existing rail infrastructure and capacities can be understood prior to a final strategy being devised.

Option 9.2: Should there be a presumption in favour of safeguarded rail depot sites being granted planning permission for new mineral uses, subject to meeting defined planning and environmental criteria?

This potential policy approach was generally well supported by consultees, with a number of respondents adding the proviso that only developments that utilise rail as the primary mode for importing raw materials should receive a presumption in favour of development. This potential policy approach was considered by respondents to be generally aligned to the national policy position set out in the NPPF.

Generally speaking, the co-location of mineral uses can ensure that operators are optimising existing, developed land and could minimise the cumulative impacts of transportation (of many sites in close proximity of each other) as well as minimising the perception of built development, impacts upon the natural environment and ensure that processes are as efficient as possible.

This potential policy approach would generally align to paragraph 143 of the NPPF which states that "in preparing Local Plans, local planning authorities should …. safeguard existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials...."

However the Authority acknowledges that, prior to such a strategy being developed as part of the plan, it would be important that consideration is given to paragraph 173 of the NPPF which states that: "pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened". Paragraph 177 of the NPPF re-enforces this principle this by saying "it is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up." As such, it is important that the Authority considers the viability and deliverability of additional mineral uses at the existing railhead sites before accounting for them within future mineral need/supply projections, i.e. to avoid under provision of primary aggregate through an assumption that additional imported aggregate will be available.

The Authority notes that the Duty to Cooperate requires authorities to work effectively on strategic planning matters that cross their administrative boundaries" and *"have or would have a significant impact on at least two planning areas, in particular in connection with strategic infrastructure."* As such, it is likely that any safeguarding considerations of existing rail depot sites or current site capacities would be a 'strategic matter' for discussion as part of the 'duty to cooperate'.

It is also noted that the Office of Rail Regulation would like to see proposals for site allocations at an early stage, so that any potential impacts upon the existing rail network could be considered and be able to inform the site selection process.

It is agreed by the Authority that there is a need to understand the likely existing capacity at the existing railhead sites better, ideally through a review, to ensure that the existing rail infrastructure and capacities can be understood prior to a final strategy being devised. It is also necessary to consider the need for additional new mineral uses for rail head sites.

Option 9.3: Do you agree that the existing road to rail aggregates depot, the road to rail cement depot and the rail connected coated roadstone plant should be safeguarded from other forms of development. This would allow the existing patterns of construction aggregate importation to continue?

This potential policy approach that could be progressed through the emerging plan was universally supported by the responding consultees and was referred to as being NPPF compliant.

Recognition was given to the difficulties in relocating these types of facility, but this should not prevent the redevelopment of such sites, in the event that they are no longer commercially viable or necessary to deliver the Council's Local Planning strategy. Some respondents suggested additional rail linked mineral facilities might be required elsewhere in West Berkshire, with Newbury being specifically mentioned.

It is acknowledged that paragraph 143 of the NPPF states that "in preparing Local Plans, local planning authorities should: safeguard existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials." The Authority notes that rail freight can provide distinct benefits over road based transport by minimising impacts on road based congestion. It is possible that a secondary benefit to such a rail based strategy could be that the road maintenance associated with minerals or waste HGVs could be reduced, if significant transfer to rail could be achieved.

As such a strategy which has some reliance upon the movement of aggregates by rail is likely to have some significant benefits in sustainability terms, which would ensure compliance with a key principle within the NPPF. The Authority notes that paragraph 8 of the NPPF supports this approach and states that "to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions." This is also re-enforced by paragraph 30 of the NPPF which states that "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport." It is widely acknowledged that the biggest advantage of rail based movements of minerals and waste is the environmental benefits that can be achieved. It is reported that using rail freight produces 3.4 times less CO^2 per tonne-km than road transport, which means that switching to rail freight could give a 70% reduction in CO^2 emissions compared to the equivalent road journey (DaSTS, 2008).

The Duty to Cooperate requires authorities to work effectively on strategic planning matters that cross their administrative boundaries" and "have or would have a significant impact on at least two planning areas, in particular in connection with strategic infrastructure." The Authority notes that the NPPF paragraph 178 states that "Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans." As such, it is likely that any safeguarding of existing rail depot sites or current site capacities would be a 'strategic matter' for discussion as part of the 'duty to cooperate'.

It is noted that one respondent has requested specific consideration be given to a potential rail depot within the Newbury area, which could be supported by the Freight Strategy (November 2014) which indicates that 'the Council will investigate the feasibility of developing a freight consolidation centre to serve Newbury town centre (see Action Plan ref FAP4) as a means of contributing towards improving town centre congestion and air quality. This will include the development of a robust business case to determine the viability for such a facility as well as a demonstrable commitment from town centre businesses to use it.'

Such an approach emphasises that the Council's highways team believe that bulking of goods prior to transportation would have a significant impact on Newbury, rather than direct delivery. However, it is likely that the movements of minerals and waste are likely to be insignificant when compared to all other HGV or LGV movements on the highway.

It is agreed by the Authority that there is a need to understand the likely existing capacity at the existing railhead sites better, ideally through a review, to ensure that the existing rail infrastructure and capacities can be understood prior to a final strategy being devised. It is also necessary to consider the need for the existing new mineral uses at the current rail head sites. It is clear that if a safeguarding policy is developed for these identified sites, that there may be circumstances where such a safeguarding policy could be overridden by other material planning considerations or policies, recognising the fact that if such facilities are lost to other uses they are unlikely to be replaced.

Summary

The responses to this issue suggest that those parties who made comments that were applicable to this issue recognised the important role that the present rail head sites have in supplying aggregates to meet local demands. Respondents supported the safeguarding of these existing depots from non rail uses as well as setting a presumption in favour of new rail related mineral uses. It is clear that if a safeguarding policy is developed for these identified sites, that there may be circumstances where such a safeguarding policy could be overridden by other material planning considerations or policies, recognising the fact that if such facilities are lost to other uses they are unlikely to be replaced.

It is agreed by the Authority that the existing capacity at the existing railhead sites should be reviewed to ensure that the existing rail infrastructure and capacities can be understood prior to a final strategy being devised. It is apparent that additional work needs to be completed as the plan develops to enable this matter to be fully understood and a robust policy approach devised.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that there was no significant difference between the various issues considered under this option. These sustainability factors will be considered further in the development of the emerging plan.

Minerals Issue 10: Windfall sites

Option 10.1: Do you think that the present policies in the Replacement Minerals Local Plan for Berkshire relating to windfall mineral sites should be reviewed in order to allow more scope for exploiting windfall opportunities?

The consultees who responded to this issue acknowledged that policies relating to windfall sites would be required to ensure the appropriate consideration of any mineral proposals which may come forward over the life of the emerging plan. Some respondents suggested that the existing criteria for windfall sites set out in the existing RMLP were adequate and should be retained. However, concern was raised that there was a need to review the applicable criteria to ensure they are fit for purpose as the RMLP policies were considered to be out of date by some of the parties who responded.

Respondents referred to the need to ensure that borrow pits (to serve a nearby construction project) were not confused with windfall sites (where aggregates are created as a by product of another development) and that the policies developed ensure these two distinct forms of sites are clearly distinguished.

Windfall sites are defined in the NPPF as: “Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available”. With respect to mineral extraction site the Authority considers that there are generally three types of windfall sites that may come forward, all of which have their own suite of issues.

- The first type of windfall site is a borrow pit. Such sites are temporary mineral working sites that are worked solely to supply material for a specific construction project / development.
- The second type of site is sites where minerals are won as part of another development, such as the re-profiling of land, construction of a marina, housing developments etc. With such sites the underlying minerals are worked as part of the development taking place. In some instances the minerals can be used on site for construction purposes, in other cases the minerals are taken off site and sold into the open market.
- There is also a third type of windfall site that may come forward through the life of the plan, these are new mineral extraction sites that are unallocated in the development plan. This third type of site is sometimes not referred to as windfall sites, instead being referred to as non-allocated sites.

The extant minerals plan dealt with these issues through policies 2 and 2A, in the case of prior extraction, and policy 14, in the case of borrow pits. Mineral extraction sites that are unallocated in the development plan are covered principally by policies10, 11, 12 and 13.

It is agreed by the Authority that there is no certainty around when or where windfall opportunities for the extraction of construction aggregates will arise, which can make planning for such sites in a strategic manner problematic.

Paragraph 142 of the NPPF confirms that “minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation”. The NPPF also confirms that authorities should ensure that: “minerals resources of local and national importance are not needlessly sterilised by non-mineral development”.

It is agreed by the Authority that a policy framework to enable the consideration of windfall opportunities should be included in the WBMWLP. It is agreed that a policy, or policies, for

each of the various types of windfall site will be required to enable future proposals that may be forthcoming to be adequately considered. Paragraph 143 of the NPPF is useful in this regard as it sets out a range of environmental criteria to ensure that permitted operations do not generate unacceptable impacts.

The granting of consent for windfall sites assist in meeting the local demand for construction aggregates and it is recognised that any minerals yielded from borrow pits, and as part of other developments, will be accounted for as part of the level of supply from a particular area. As the historic supply of minerals is now used, through an LAA, to indicate future demand such factors will have to be recorded. Otherwise the working of minerals from borrow pits for a specific development (or as part of another development where the minerals are used on site) could artificially increase (or potentially decrease) the perceived level of need. Such matters will need to be addressed as part of the monitoring of the plan and future LAA's

Option 10.2: Are further safeguards needed to minimise the impacts of the large construction projects (e.g. how the planning system can control construction, demolition and excavation waste arising from these projects and how this is stored/managed) that are inevitably associated with them?

This potential policy approach was supported by the majority of respondents who expressed a view on this issue, with minimal parties who responded in this option considering this unnecessary.

Some respondents suggested that such a policy approach could reduce flexibility in the ability to deliver new development. Others suggested that the control of impacts of large development (non minerals or waste developments) should be managed outside the WBMWLP process. Reference was also made to the lack of clarity over what this approach means (particularly given the cessation of the need for SWMP's).

It is considered by the Authority that there is likely to be a limitation as to the extent that policies in the WBMWLP can cover matters such as waste arisings from other, non minerals or waste related developments. It is also recognised that Policy CS14 of the West Berkshire Core Strategy states that: "All development proposals will be expected to seek to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15: Sustainable Construction and Energy Efficiency". Saved policies OVS.5 and OVS.6 of the West Berkshire District Local Plan provide the framework for considering the environmental noise and pollution from development proposals.

It is possible that the WBMWLP could incorporate further support for this policy approach that has already been established within the local development plan for West Berkshire, but it is considered important that the overlap of policies is avoided where possible. Paragraph 8 of the NPPW confirms that, when determining application for non waste development, local planning authorities should ensure that: "waste arising from the construction and operation of development maximises reuse/recovery opportunities and minimises off site disposal".

It is agreed that the NPPF (paragraph 142) recognises the finite nature of minerals and the importance of making the best use of resources and therefore is generally supportive of a policy approach that would support prior–extraction in advance of other development types (subject to ensuring that permitted operations do not generate unacceptable impacts). It is clear that any policy framework relating to windfall sites needs to accommodate such matters that are appropriate.

Option 10.3: Do you agree that the WBMWLP should make an allowance for windfall sites in calculating for the need / supply of aggregates within West Berkshire?

The potential approach suggested by this option was supported by some respondents but it was also considered to be inappropriate by a number of other consultees who responded.

Several respondents confirmed that they did not consider that windfall sites should be accounted for in the overall calculations on the need for aggregates over the plan period, due to the ambiguity over when or if such sites may come forward and due to the small amounts of minerals normally yielded from such sites.

Several respondents confirmed that a separate policy approach for each type of windfall site needs to be included within the WBMWLP.

The Authority acknowledges that the historic sales from windfalls sites will be used to establish the future level of need. This is because the guidance in the PPG, and the requirement in the NPPF, confirm that the starting point for a Local Aggregate Assessment is to consider past sales of construction aggregate. As such the LAA calculations would include sales from borrow pits and un allocated mineral sites in the historic sales figures used to predict future demand. With prior extraction sites there is a risk that construction aggregates that are won, and used on site, are not recorded and therefore the level of demand met by such sites may not be captured.

However, when considering the number of sites required to meet future demand it is considered that, as there is no certainty around when or where windfall opportunities for aggregates will arise it is considered by the Authority that it may not be appropriate for such sites to be relied upon to meet a significant plan shortfall. It may be that a small shortfall in plan provision, coupled with a monitoring regime that may trigger a plan review, could be an appropriate approach.

The issues around monitoring and recording the provision of construction aggregates from windfall sites is a matter that will need to be considered as part of the monitoring regime from the plan and such matters will need to be addressed as part of the monitoring of the plan and future LAA's.

Summary
The Authority agrees with the majority of respondents, who supported the inclusion of a policy approach that would enable the consideration of proposals for all three types of windfall sites that may come forward over the life of the plan. In adopting such an approach it is apparent that there is a clear need to have a policy approach that ensures that all planning matters are fully considered in the determination of such proposals.

It is agreed that all three types of windfall sites may need to be considered separately in the plan and a different policy approach pursed for each type of windfall site, as each type of site brings with them their own issues / opportunities

When considering the number of sites required to meet future demand it is considered that, as there is no certainty around when or where windfall opportunities for aggregates will arise it may not be appropriate for such sites to be relied upon to meet a significant plan shortfall. It may be that a small shortfall in plan provision, coupled with a monitoring regime that may trigger a plan review, could be an appropriate approach.

Minerals Issue 11: Restoration strategy for West Berkshire

Option 11.1: Do you think there is scope for more restoration of mineral workings to lakes following extraction, or do you think that there are there already enough lakes generated by mineral extraction in West Berkshire?

This potential policy option did not receive a consensus view but this issue attracted a high level of response, suggesting it is of particular importance to a range of stakeholders. Some respondents made reference to there being "enough lakes" and "water restoration causing local flooding" and the need to return sites to high quality agricultural land. Other respondents referred to lakes being better than landfill and others referred to lakes as being, or indeed not being, part of the local landscape and some respondents suggested that there was potentially scope for more lakes (depending on the circumstances).

A number of respondents suggested that there was no need for an overarching strategy and instead they suggested pursuing an objective of achieving a balanced restoration strategy providing both wet and dry restoration solutions that are considered on a case by case basis. Reference was also made to "wet" restoration not necessarily relating to lakes as wetland habitats (reed beds, wet woodland, wet grassland etc) could also be delivered, acknowledging that some fill materials may still be required to deliver such restoration objectives.

Several respondents referred to the need to ensure that agreed restoration plans are rigorously enforced. Reference was also made to operators abandoning gravel workings, leaving them to flood. A strategy that assisted in the delivery of additional flood plain capacity, or creation of flood protection measures as part of a development, to ensure flood prevention was also cited as being potential benefits that could be delivered.

A number of respondents referred to the importance of ensuring that the restoration of mineral sites realised their full potential to deliver biodiversity benefits, green infrastructure and a beneficial contribution to landscape character.

In recent years mineral workings in West Berkshire have generally been focused in the Kennet Valley area, which has generally speaking, resulted in a number of workings being returned to water related after-uses due to the higher water table. This is not to say that land based restoration has not taken place, but these circumstances have usually resulted in a mix of both "wet" and "dry" restoration on most sites. Although, this could be deemed to be changing the character of the landscape, if the amounts of mineral workings and restoration to one type of after use became very concentrated in a specific area, it is not deemed to be of significant concern to date in West Berkshire, with the quality of restoration being a more important factor. Generally, such restoration proposals will be dependant upon the location and site specific opportunities, as well as land owner interest for specific after uses.

To ensure that the WBMWLP promotes proactive and enhanced restoration schemes, which aligns to other service areas improvement plans or foresight for the district, there is the potential for the production of a supporting document for the evidence base of the WBMWLP which could consider a district wide restoration strategy for West Berkshire and any site specific allocations made within the plan. Such an approach would generally align with the Council's adopted strategy (2014-18).

Such a document would allow the authority to consider both site specific allocation proposals, as well as provide a strategic overview to ensure that habitats are considered at a local scale, providing consideration to linking existing and new habitats, providing improvement or net gains and ensuring that these principles are used to inform operators proposed planning applications.

A number of respondents made comments relating to planning permission conditions covering issues linked to restoration, such as the aftercare and monitoring of a site, not being complied with or enforced of these conditions. The Authority considers that, whilst such comments solely relate to the planning application process and not to the policy development of the WBMWLP during the plan making process, it is key that high quality and timely restoration of sites is a key concern for some respondents.

There have been some comments received raising concerns over the potential impacts that mineral extraction/restoration has upon the management of water (surface or ground). The Authority is not aware of any reports which have shown that exacerbated flooding occurrences have been proven to occur as the direct result of mineral extraction. It is acknowledged that the affects of mineral extraction should be considered upon the aquifers located within the district, although the Environment Agency are the statutory consultee on these matters and will be consulted upon during the development of the WBMWLP. Any site allocations within the WBMWLP will be subject of a SFRA Level 1 and sequential test, where necessary, a Level 2 SFRA will be carried out for specific site allocations. As such, further work on this is proposed to be completed.

Option 11.2: Are there other forms of restoration, or an overall restoration strategy, that you would like to see developed in West Berkshire?

Reference was made to a number of "restoration options" for future mineral sites including; agriculture, local amenity benefits, flood defences, parkland, flood zones, wildlife habitats, flood prevention, archaeological benefits, conservation of historical workings, biodiversity benefits, green space, enhanced PROW, new marinas, forestry, wetlands, and green infrastructure.

A number of respondents made reference to the need to ensure that the plan delivers an appropriate balance of after uses. The most referred to afteruse was that of ecological /biodiversity, with flood alleviation also being cited by numerous respondents.

It is recognised by the Authority that, in recent years, mineral workings have generally been focused in the Kennet Valley area, which has generally resulted in mineral workings being returned to water related after-uses due to the higher water table. This is not to say that land based restoration has not taken place, but these circumstances have usually resulted in a mix of both "wet" and "dry" restoration on most sites.

Considerations may need to be given to a variety of different influencing factors dependant upon the restoration schemes proposed, these could be include the relevance of the Civil Aviation Authorities Bird Safeguarding Guidelines (relevant to the control of birds at aerodromes), potential for waste pollution, desired or potential after uses now or in the future, whether inert fill will be used to return the ground to its original contours or a lower level restoration and if such material is deemed available, as well as existing planning designations or aspirations.

Many consultees have highlighted the potential for the WBMWLP to provide ecological enhancements and targets which could seek to maintain biodiversity rich locations and enhance and improve habitats and encourage opportunities for greater biodiversity as part of new restoration schemes. It is noted by the Authority that the Natural Environment white paper, June 2011 now provides a focus on how nature works as a system and the value of the benefits we get from it. This new approach places more emphasis on halting biodiversity loss by linking fragmented habitats through the creation of Ecological Networks, encouraging economic growth through a Green Economy and reconnecting people with nature by recognising the value of well maintained green spaces and access to nature (green

infrastructure). It is understood that well designed and implemented mitigation, enhancement and restoration schemes can enhance the quality of peoples' lives, support and generate economic benefits, help sustain and enhance health as well as contribute to sustainable communities. Generally, such restoration proposals will be dependent upon the location and site specific opportunities, as well as land owner interest for specific after uses.

To ensure that the WBMWLP promotes a proactive and enhanced restoration scheme which aligns to other service areas improvement plans or foresight for the district, there is the option of producing a supporting document for the evidence base of the WBMWLP which could consider a district wide restoration strategy for West Berkshire and any site specific allocations made within the WBMWLP. Such an approach would generally align with the Councils adopted strategy (2014-18) which includes the council priorities of promoting a vibrant district and protecting the environment.

Such a document would enable the authority to consider both site specific allocation proposals, as well as provide a strategic overview to ensure that habitats are considered at a local scale, providing consideration to linking existing and new habitats, providing improvement or net gains and ensuring that these principles are used to inform operators proposed planning applications.

Some comments received to the consultation referred to a desire for low lying restoration of land (i.e. post extraction levels) to be retained without the use of inert landfill capacity to restore the land partially or in full to the original contours. Although the Authority recognises that there will be a need to provide an adequate number of waste facilities for the identified 'West Berkshire need' (currently estimated within the Local Waste Assessment). The Authority is aiming for net self sufficiency in terms of waste (i.e. provision for an equivalent amount of waste generated within West Berkshire, which will account for cross boundary movements of waste). West Berkshire will aim to make waste facility provisions across the whole of the waste hierarchy but accept that some types of facility will be planning designation, environmental constraint and geology specific. This means that there will need to be a fine balance between the desired restoration schemes and the appropriate management of waste generated within the district.

Some comments suggested that proposed restoration schemes should be shaped through the aspirations of the local community, Parish Council or Planning and Countryside teams at West Berkshire at a planning application stage, to ensure that conditions were applied to planning permissions covering issues linked to restoration, such as the aftercare and monitoring of a site. It should be noted that the effectiveness of this approach is dependent upon early and pro-active engagement at the pre-application stage between an operator/promoter and the local community/local authority.

It should also be noted that the WBMWLP shall be aligned to and complementary of the adopted Core Strategy (and other relevant legislation, policy and guidance), including influential policies for restoration of mineral sites including CS17: Biodiversity and Geodiversity, CS18: Green Infrastructure and CS19: Historic Environment and Landscape Character, but the WBMWLP is not to be intended to be subservient to this Local Plan.

Option 11.3: Do you consider that there is sufficient infill material available for the restoration of future extraction sites back to land based uses?

A number of respondents made reference to this being an unknown or being more applicable to be determined at the planning application stage.

Some respondents suggested that there was a significant demand for inert fill material, and a shortage of inert landfill capacity and some resurgence in the construction industry at

present. Other respondents suggested that there is sufficient infill material at present (but made reference to the future level of provision/demand being an unknown). Concern was raised over the loss of agricultural land during the extraction phase of mineral sites and the infilling of land within flood plains.

Generally speaking the landfilling of non-inert is a waste management process which has been superseded by newer technologies that are used to manage this waste that has been driven by changes in regulation and legislation regarding landfilling. It is considered by the Authority that it is highly likely that West Berkshire will only see the development of inert landfill sites within the district over the life of the plan.

Recognition must also be given to the waste hierarchy, which is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). Thus the waste hierarchy places an emphasis on diverting waste from landfill.

The 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy. In the case of inert wastes this would mean that favouritism should and generally is given to recycling and reuse prior to disposal to land. This has been successfully seen in the increasing contribution that secondary and recycled aggregates (which meet the WRAP protocol for the production of aggregates from inert waste) are making to supply aggregate demand in West Berkshire (documented in the Local Aggregates Assessment), which has in turn reduced demand on primary aggregates. Although this is more sustainable, this does also mean that this construction and demolition wastes is then not available to the waste market to be used as inert fill for landfilling or land raising operations. Excavation wastes (generally clays and soils) are more widely available to the market for filling extraction voids and limited other processing facilities currently exist to move these wastes up the waste hierarchy, in addition there are understood to be few alternative uses for waste clays.

Numerous reports and operators have highlighted concerns that inert waste volumes have been dropping and, as such, this affects the tonnages available for landfilling. The report by Quarry Products Association, June 2006 provides some reasoning for the drop in availability of inert wastes such as: competition from exempt site activities who can spread inert waste on land; changes in national legislation and regulation through permitting regimes (differences between Waste Management Licences and Pollution Prevention Control (PPC) Landfill Permit operations); introduction of landfill tax; tightening of definitions of inert waste which can be accepted on sites and different legislation requirements at non-hazardous and inert landfills. Although this shows that there is commercial competition for the inert waste stream, this does not provide any clear justification as to whether there is sufficient or in-sufficient inert waste for future mineral extraction restoration schemes.

As such further work is likely to be needed to assess the volumes of existing waste managed in West Berkshire, existing waste management site capacities and assess the impacts that management of additional waste need may have upon these sites and whether additional sites are needed. In addition, due to the fact that inert fill material may be needed in the restoration of mineral sites, factors such as the volume of construction aggregates needed and proposed restoration schemes will also need to be considered in respect of these matters.

Option 11.4: Do you think there is scope to infill some of the existing lakes created by historic mineral extraction back to land based uses or infill sites that were restored to low level land based uses, which could minimise any existing implications of too

many lakes being located within a limited area or inadequate restoration. Or are there other reasons why this may not be an effective strategy (i.e. affect on surface water flooding /or hydrological flows / diverting waste from already approved restoration schemes etc)?

This potential option saw an almost equal level of support and opposition from those consultees who responded on this option. In opposing this potential approach reference was made to the value of the existing lakes in West Berkshire in terms of both leisure and biodiversity. Respondents also referred to the need to ensure adequate volumes of material are available for the restoration of mineral sites, making reference to diverting such waste to the infilling of existing waste having the potential to prevent the adequate restoration of current / proposed mineral workings. .

Many respondents suggested that this was not appropriate or necessary, but any such proposals that may come forward should be considered on their merits. The issues surrounding the future provision of suitable infill material was also raised as an area of concern with such an approach, given the uncertainties around future availability.

This potential approach did receive some support, but only where it could be identified that such proposals would be desirable, beneficial and environmentally acceptable and reference was made to the possibility of the partial infill of lakes to deliver additional biodiversity (wetland habitats being specifically referred to).

Reference was made to the possibility of devising an overarching master plan of current and historical sites (and allocations) seeking to maximise biodiversity gains and ecological benefits by some respondents.

Generally speaking the landfilling of non-inert is a waste management process which has been superseded by newer technologies that are used to manage this waste that has been driven by changes in regulation and legislation regarding landfilling. It is considered by the Authority that it is highly likely that West Berkshire will only see the development of inert landfill sites within the district over the life of the plan.

Recognition must also be given to the waste hierarchy, which is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). Thus the waste hierarchy places an emphasis on diverting waste from landfill.

The 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy. In the case of inert wastes this would mean that favouritism should and generally is given to recycling and reuse prior to disposal to land. This has been successfully seen in the increasing contribution that secondary and recycled aggregates (which meet the WRAP protocol for the production of aggregates from inert waste) are making to supply aggregate demand in West Berkshire (documented in the Local Aggregates Assessment), which has in turn reduced demand on primary aggregates. Although this is more sustainable, this does also mean that this construction and demolition waste is then not available to the waste market to be used as inert fill for landfilling or land raising operations. Excavation wastes (generally clays and soils) are more widely available to the market for filling extraction voids and limited other processing facilities currently exist to move these wastes up the waste hierarchy, in addition there are understood to be few alternative uses for waste clays.

Numerous reports and operators have highlighted concerns that inert waste volumes have been dropping and, as such, this affects the tonnages available for landfilling. The report by

Quarry Products Association, June 2006 provides some reasoning for the drop in availability of inert wastes such as: competition from exempt site activities who can spread inert waste on land; changes in national legislation and regulation through permitting regimes (differences between Waste Management Licences and Pollution Prevention Control (PPC) Landfill Permit operations); introduction of landfill tax; tightening of definitions of inert waste which can be accepted on sites and different legislation requirements at non-hazardous and inert landfills. Although this shows that there is commercial competition for the inert waste stream, this does not provide any clear justification as to whether there is sufficient or in-sufficient inert waste for future mineral extraction restoration schemes.

As such further work is likely to be needed to assess the volumes of existing waste managed in West Berkshire, existing waste management site capacities and assess the impacts that management of additional waste need may have upon these sites and whether additional sites are needed. In addition, due to the fact that inert fill material may be needed in the restoration of mineral sites, factors such as the volume of construction aggregates needed and proposed restoration schemes will also need to be considered in respect of these matters.

The Authority considers that the priority for the plan should be to ensure the delivery of high quality and timely restoration of current and future mineral workings and if such restoration operations require waste material to deliver this objective then it would be prudent to avoid an approach whereby those waste materials would be diverted for an alternative use.

Option 11.5: Do you think there is another restoration strategy that the WBMWLP could deliver? If so, please explain what you think it should be.

Respondents suggested a variety of potential strategies / issues that the plan making process could address. Reference was made to there being a greater emphasis on prior extraction of minerals from development sites, reducing the demand for new primary aggregate sites.

Reference was made to the benefits of restoring land back to their original condition, as well as restoring to aquatic leisure activities. One of the most supported afteruse was that of ecological /biodiversity, with flood alleviation also being cited by numerous respondents.

In recent years mineral workings in West Berkshire have generally been focused in the Kennet Valley area, which generally can result in workings being returned to water related after-uses due to the higher water table. This is not to say that land based restoration has not taken place, but these circumstances has usually resulted in a mix of both “wet” and “dry” restoration on most sites.

The Authority is aware that the affects of mineral extraction should be considered upon the aquifers located within the district, although the Environment Agency are the statutory consultee on these matters and will be consulted upon the development of the WBMWLP. Any site allocations within the WBMWLP will be subject of a SFRA Level 1 and sequential test, where necessary, a Level 2 SFRA will be carried out. As such, further work on this is proposed to be completed.

Some comments referred to the displacement of existing water bodies either in part or in whole via infill of existing lower landforms (seemingly expressing support for option 11.4) the authorities acknowledge that consideration will need to be given to a range of factors when determining an appropriate restoration scheme, including the relevance of the Civil Aviation Authorities Bird Safeguarding Guidelines (relevant to the control of birds at aerodromes), potential for waste pollution (dependent upon the infill waste materials proposed), desired or potential after uses now or in the future (will land stability be an issue), impacts on existing

surface water, ground water and hydrological flows, whether inert fill will be used to return the ground to its original contours or a lower level restoration, as well as the aspirations by the local community, Parish Council or Planning and Countryside teams at West Berkshire.

Consideration on restoration matters is likely to be very site specific and so is only likely to be effectively covered by strategic policies within the WBMWLP. Some restoration schemes which return the land after mineral extraction back to original land contours (in whole or part) is likely to require waste material to aid restoration. As such, the waste hierarchy is a relevant consideration which is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy. In the case of inert wastes this would mean that favouritism should and generally is given to recycling and reuse prior to disposal to land. This has been successfully seen in the increasing contribution that secondary and recycled aggregates (which meet the WRAP protocol for the production of aggregates from inert waste) are making to supply aggregate demand in West Berkshire (documented in the Local Aggregates Assessment), which has in turn reduced demand on primary aggregates. Although this is more sustainable, this does also mean that this construction and demolition wastes is then not available to the waste market to be used as inert fill for landfilling or land raising operations.

To ensure that the WBMWLP promotes proactive and enhanced restoration schemes which aligns to other service areas improvement plans or foresight for the district (which will predominantly include the environmental services at West Berkshire), the authority believe that production of a supporting document for the evidence base of the WBMWLP which considers a district wide restoration strategy for West Berkshire and any site specific allocations made within the WBMWLP could be beneficial and would align with the Councils adopted strategy (2014-18) which includes the council priorities of promoting a vibrant district and protecting the environment.

Such a document could allow the authority to consider both site specific allocation proposals, as well as provide a strategic overview to ensure that habitats are considered at a local scale, providing consideration to linking existing and new habitats, providing improvement or net gains and ensuring that these principles are used to inform operators proposed planning applications. It is also noted that paragraph 114 of NPPF states that *"local planning authorities should set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure*. It is likely that a restoration strategy would designate different principles for restoration to broad locations of the district defined by the different landscape characteristics.

It is acknowledged that the Natural Environment white paper, June 2011 now provides a focus on how nature works as a system and the value of the benefits we get from it. This new approach places more emphasis on halting biodiversity loss by linking fragmented habitats through the creation of Ecological Networks, encouraging economic growth through a Green Economy and reconnecting people with nature by recognising the value of well maintained green spaces and access to nature (green infrastructure). It is understood that well designed and implemented mitigation, enhancement and restoration schemes can enhance the quality of peoples' lives, support and generate economic benefits, help sustain and enhance health as well as contribute to sustainable communities. As outcomes to such proposals is likely to be site specific, consideration will need to be given to the relevance of the following on the proposed restoration scheme including: planning designations; biodiversity; restoration improvements and benefits to the existing habitats (i.e. net gains from the proposal); impacts on the highway; amenity; availability of inert fill (and potential impacts on existing approved schemes) and timescales proposed.

Some comments suggested that proposed restoration schemes should be shaped through the aspirations of the local community, Parish Council or Planning and Countryside teams at West Berkshire at a planning application stage, to ensure that conditions are applied to planning permissions covering issues linked to restoration, such as the aftercare and monitoring of a site. It should be noted that the effectiveness of this approach is dependent upon early and pro-active engagement at the pre-application stage between an operator/promoter and the local community/local authority.

Concerns have also been raised over instances where mineral sites have been poorly restored following working and whilst it is acknowledged that such actions relate solely to the planning application process and not to the policy development of the WBMWLP during the plan making process. The Authority will consider whether the addition of a policy or wording is prudent to strengthen the stance or define the authority's policy towards restoration of mineral sites. As reflected in paragraph 207 of the NPPF and the guidance on charging for site visits and restoration and aftercare of minerals site within the PPG.

Summary

Many comments made by the respondents related to planning permission conditions covering issues linked to restoration and ensuring the enforcement of these conditions. Whilst it is noted that such comments solely relate to the planning application process and not necessarily to the policy development of the WBMWLP during the plan making process, it is apparent that high quality and timely restoration of mineral extraction sites is a key concern for some respondents. The Authority will consider whether the addition of a policy or wording is prudent to strengthen the stance or define the authority's policy towards restoration of mineral sites. As reflected in paragraph 207 of the NPPF and the guidance on charging for site visits and restoration and aftercare of minerals site within the PPG. The option for securing restoration bonds to ensure high quality and timely restoration will also be considered.

The responses to this issue suggest that the benefit that mineral extraction sites could deliver to aide in flood alleviation was an opportunity that was supported by numerous respondents. It was also clear that respondents favoured a balanced approach to restoration with a variety of different afteruses being potentially delivered, as opposed to a strategy focused on a single afteruse.

To ensure that the WBMWLP promotes proactive and enhanced restoration schemes which aligns to other service areas improvement plans or foresight for the district (which will predominantly include the environmental services at West Berkshire), there is the potential for the production of a supporting document for the evidence base of the WBMWLP which could consider a district wide restoration strategy for West Berkshire and any site specific allocations made within the plan.

This approach would also align with the Councils adopted strategy (2014-18) which includes the council priorities of promoting a vibrant district and protecting the environment. Such a document could also allow the authority to consider both site specific allocation proposals, as well as provide a strategic overview to ensure overarching principles are used to inform operators proposed planning applications.

It is believed that the development of restoration principles would provide the Authority with stronger policy to be able to achieve a more locally specific and balanced restoration schemes across the district. It is likely that a restoration strategy would designate different principles for restoration to broad locations of the district defined by the different landscape characteristics.

It has been identified that further work is likely to be needed to assess the volumes of existing waste managed in West Berkshire, existing waste management site capacities and assessment of the impacts that management of additional waste need may have upon these sites and whether additional sites are needed. In addition, due to the fact that inert fill material may be needed in the restoration of mineral sites, factors such as the volume of construction aggregates needed and proposed restoration schemes will also need to be considered.

Minerals Issue 12: Chalk and Clay

Option 12.1: Does the WBMWLP need to include a strategic policy to ensure that there are adequate safeguards in place to minimise the adverse effects of future extraction of chalk and clay?

This option was supported by some respondents, with reference being given to the extensive areas of the authority that are underlain by these minerals. Reference has been made to the need to separate the issues surrounding chalk, to those that relate to clay as they are different minerals with different demands and issues.

Some respondents suggested that this potential approach was unnecessary, referring to a lack of evidence to support a market for either chalk or clay and suggesting that a strategic policy may not be required (suggesting a criteria based policy might be more applicable). A number of respondents made reference to the need to ensure local communities, residents and aquifers are safeguarded from the potential impacts of the extraction of such minerals.

The Authority agrees that national policy would support the adoption of a policy to minimise the adverse impacts of extraction of chalk and clay. Specifically, NPPF paragraph 143 states inter alia that in preparing Local Plans, local planning authorities should "set out environmental criteria, in line with the policies in this Framework (the NPPF), against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality".

NPPF paragraph 144 refers to the development management process stating, inter alia, that when determining planning applications, local planning authorities should "ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality".

Although the policy and guidance would support this potential policy approach it must be noted that there are currently no active sites in West Berkshire that are producing chalk or clay, and since the adoption of the Replacement Minerals Local Plan for Berkshire (in 1995) there have been no planning applications for the extraction of chalk or clay within West Berkshire. It is understood that there has been a limited level of clay extraction in other parts of Berkshire, but only where that clay extraction has been undertaken in construction with construction aggregate workings.

It is not known precisely why there appears to be a lack of demand for chalk and clay. It may be due to the lack of a market for these minerals or the fact that approximately three quarters of West Berkshire is designated as AONB. It is considered that, rather than seek to identify the locations where viable deposits exist (or the designation of Specific Sites, Preferred Areas, or Areas of Search), criteria based policies would be likely to be sufficient for inclusion in the emerging plan, in order that if planning applications for the extraction of chalk and clay come forward then they could be assessed against these policies.

Option 12.2: Do you think that there is a need for more certainty about where chalk and clay might be worked in the future (such as the identification of locations where viable deposits exist)?

This approach was generally well supported, although it was queried whether there is a need for the extraction of these minerals in West Berkshire. However, some respondents suggested that there was no demand for these minerals, no historic working and that criteria based policy would be adequate to ensure that any proposals could be suitably considered and ensure that all planning considerations would be taken into account.

National guidance is supportive of creating certainty for where minerals will be extracted in the future. PPG ref ID: 27-008-20140306 states: mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):

1. designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;

2. designating Preferred Areas, which are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or

3. designating Areas of Search – 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.

National policy is aligned with this guidance. NPPF paragraph 143 states, inter alia, that in preparing Local Plans, local planning authorities should "identify and include policies for extraction of mineral resource of local and national importance in their area". However it appears to the Authority that there is no demonstrable evidence to indicate that chalk or clay are of either local or national importance at this time, and no evidence that this situation is likely to alter.

Although the policy and guidance would support this potential policy approach it must be noted that there are currently no active sites in West Berkshire that are producing chalk or clay, and since the adoption of the Replacement Minerals Local Plan for Berkshire (in 1995) there have been no planning applications for the extraction of chalk or clay within West Berkshire. It is understood that there has been a limited level of clay extraction in other parts of Berkshire, but only where that clay extraction has been undertaken in construction with construction aggregate workings.

It is not known precisely why there appears to be a lack of demand for chalk and clay. It may be due to the lack of a market for these minerals or the fact that approximately three quarters of West Berkshire is designated as AONB. It is considered that, rather than seek to identify the locations where viable deposits exist (or the designation of Specific Sites, Preferred Areas, or Areas of Search), criteria based policies would be likely to be sufficient for inclusion in the emerging plan, in order that if planning applications for the extraction of chalk and clay come forward then they could be assessed against these policies.

Option 12.3: Do you think that the WBMWLP should identify strategic areas for the working of chalk and clay (such as the identification of safeguarded areas / areas of search and / or preferred sites)?

A number of respondents confirmed that if there was a need for these minerals, and due to the prevalence of these deposits in sensitive areas, such an approach would seem appropriate so the relevant issues can be considered at a strategic level.

However, some respondents suggested that there was no need to identify such areas, due to the perceived lack of demand, and suggested that a criteria based policy would be adequate.

National guidance is supportive of the identification of strategic sites for the working of minerals. PPG ref ID: 27-008-20140306 states: mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):

1. designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;

2. designating Preferred Areas, which are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or

3. designating Areas of Search – 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.

National policy aligns with this guidance. NPPF paragraph 143 states, inter alia, that in preparing Local Plans, "local planning authorities should define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development".

However it appears to the Authority that there is no demonstrable evidence to indicate that chalk or clay are of either local or national importance at this time, and no evidence that this situation is likely to alter.

Although the policy and guidance would support this approach, there are currently no active sites in West Berkshire that are producing chalk or clay, and since the adoption of the Replacement Minerals Local Plan for Berkshire (in 1995) there have been no planning applications for the extraction of chalk or clay within West Berkshire.

It is not known precisely why there appears to be a lack of demand for chalk and clay. It may be due to the lack of a market for these minerals or the fact that approximately three quarters of West Berkshire is designated as AONB.

It is considered that, rather than seek to identify the locations where viable deposits exist (or the designation of Specific Sites, Preferred Areas, or Areas of Search), criteria based policies should be included in the emerging plan, in order that if planning applications for the extraction of chalk and clay come forward then they could be assessed against these policies.

Option 12.4: Do you think that the WBMWLP should include development management policies that can be used to consider any proposals for the working of chalk and clay deposits over the life of the development plan document?

This approach was generally well supported with respondents making reference to the need to ensure that applications that may be forthcoming can be considered against an appropriate planning framework.

This approach aligns with national policy in that NPPF paragraph 143 states inter alia, that in preparing Local Plans, "local planning authorities should identify and include policies for extraction of mineral resource of local and national importance in their area". It appears that there is no demonstrable evidence to indicate that chalk or clay is of local or national importance.

PPG ref ID: 27-008-20140306 states, inter alia, that "in exceptional circumstances, such as where a local authority area is largely made up of designated areas such as Areas of Outstanding Natural Beauty, it may be appropriate for mineral planning authorities to rely largely on policies which set out the general conditions against which applications will be assessed". This is relevant to West Berkshire as approximately 74% of the District is designated as AONB.

There are currently no active sites in West Berkshire that are producing chalk or clay, and since the adoption of the Replacement Minerals Local Plan for Berkshire (in 1995) there have been no planning applications for the extraction of chalk or clay within West Berkshire.

It is not known precisely why there appears to be a lack of demand for chalk and clay. It may be due to the lack of a market for these minerals or the fact that approximately three quarters of West Berkshire is designated as AONB. It is considered that, rather than seek to identify the locations where viable deposits exist (or the designation of Specific Sites, Preferred Areas, or Areas of Search), criteria based policies would be likely to be sufficient for inclusion in the emerging plan, in order that if planning applications for the extraction of chalk and clay come forward then they could be assessed against these policies.

Summary

The responses to this issue suggest that the respondents support the inclusion of criteria based development management policies to ensure that applications that may be forthcoming can be considered against an appropriate planning framework. A more strategic approach was also supported by respondents, but only if there is an identified need for the extraction of these minerals (an approach that would be endorsed by the PPG and NPPF)

In devising a policy approach in the emerging plan it must be noted that there are currently no active sites in West Berkshire that are producing chalk or clay, and since the adoption of the Replacement Minerals Local Plan for Berkshire (in 1995) there have been no planning applications for the extraction of chalk or clay within West Berkshire. It is understood that there has been a limited level of clay extraction in other parts of Berkshire, but only where that clay extraction has been undertaken in construction with construction aggregate workings.

It is not known precisely why there appears to be a lack of demand for chalk and clay. It may be due to the lack of a market for these minerals or the fact that approximately three quarters of West Berkshire is designated as AONB.

The Authority considers that, rather than seek to identify the locations where viable deposits exist (or the designation of Specific Sites, Preferred Areas, or Areas of Search), criteria based policies would be likely to be sufficient for inclusion in the emerging plan, in order that if planning applications for the extraction of chalk and clay come forward then they could be assessed against these policies.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that the approach whereby criteria based policies that would enable the consideration of proposals for chalk extraction, and criteria based policies that would enable the consideration of proposals for clay extraction would be the approach that would be most aligned to the sustainability objectives. These sustainability factors will be considered further in the development of the emerging plan.

Minerals Issue 13: Energy minerals – Coal, Gas and Shale gas

Option 13.1: Should the WBMWLP include a policy approach to ensure that there are adequate safeguards in place to minimise the adverse effects of possible future extraction of energy minerals?

This potential approach was well supported, with many respondents making reference to the need to ensure that the appropriate environmental criteria can be applied to any proposals that come forward.

Reference was made to the uncertainties around the possible future extraction of energy minerals and the need to ensure that policies are developed and adopted to ensure applications can be determined against appropriate criteria. Concern was raised in respect of this type of development and the potential impacts on planning designations and constraints.

The PPG confirms that there is a need for development plans to address the development that may relate to the extraction of both conventional and unconventional hydrocarbons (including coal, gas and oil) (paragraph 105 Reference ID: 27-105-20140306).

There has been no exploitation of any conventional hydrocarbons in West Berkshire in the past, it is understood that this is primarily due to the underlying geology. It is understood that exploratory conventional hydrocarbon boreholes have been drilled near to Stratfield Mortimer (in the south eastern corner of West Berkshire, in the mid 60's) as well as in locations just across the border in Northern Hampshire, but such explorations have not developed into the exploitation of any resources.

The emergence of new technologies in recent years has resulted in an increase in the exploitation of unconventional hydrocarbon deposits (including sources of shale oil, shale gas and coal bed methane combustion). As an emerging industry the locations and extent of the viable deposits of such unconventional hydrocarbons remain uncertain. A recent study has been completed by the British Geological Survey in conjunction with the Department of Energy and Climate Change on the Jurassic shales of the Weald Basin, which is a large area that extends across a substantial part of the South East. The recent DECC/BGS study covered an areas on 10,825km2 of southern Britain, the majority of West Berkshire is locate outside of the study area with the northern extent of the study area broadly following the West Berkshire / Hampshire border. However given the immaturity of the unconventional hydrocarbon industry it is unclear whether the geological deposits under West Berkshire could yield viable reserves of these hydrocarbons.

This matter is reflected in the PPG, which states that: "As an emerging form of energy supply, there is a pressing need to establish – through exploratory drilling – whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coal bed methane present to facilitate economically viable full scale production".

The PPG confirms that there are 3 phases of onshore hydro carbon extraction: exploration, appraisal and production. Planning permission is required for each phase (although some initial work may be covered by permitted development rights). A developer can apply for permission for more than one phase at once, but equally can separate the 3 phases of exploration, appraisal and production into 3 separate applications.

Paragraph 147 of the NPPF confirms that Minerals planning authorities should also: "when planning for on-shore oil and gas development, including unconventional hydrocarbons, clearly distinguish between the three phases of development (exploration, appraisal and

production) and address constraints on production and processing within areas that are licensed for oil and gas exploration or production;

- encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility;
- indicate any areas where coal extraction and the disposal of colliery spoil may be acceptable;
- encourage capture and use of methane from coal mines in active and abandoned coalfield areas; and
- provide for coal producers to extract separately, and if necessary stockpile, fireclay so that it remains available for use".

In terms of coal the NPPF, at paragraph 149, states that "Permission should not be given for the extraction of coal unless the proposal is environmentally acceptable, or can be made so by planning conditions or obligations; or if not, it provides national, local or community benefits which clearly outweigh the likely impacts to justify the grant of planning permission".

It is understood that there are coal deposits located at depth within West Berkshire. These deep coal deposits are considered unlikely to become commercially viable within the plan period, however, and notwithstanding the approach set out in the NPPF that sets a presumption against coal extraction, it is considered that the policy approach towards energy minerals in the WBMWLP should include these energy minerals as it is possible that these deposits might be suitable for coal bed methane exploitation or underground coal gasification (both unconventional energy mineral extraction methodologies).

Given the current lack of clarity around the location of deposits of unconventional hydrocarbons and the clear steer in the NPPF and PPG, it is considered by the Authority that the WBMWLP should include a policy / policies to enable the consideration of development associated with both conventional and unconventional hydrocarbon extraction to ensure that planning considerations, such as visual impacts, landscape impacts, impacts on neighbouring uses, environmental impacts, noise, traffic, dust etc can be fully considered should any applications come forward.

Paragraph 148 of the NPPF confirms that; "When determining planning applications, minerals planning authorities should ensure that the integrity and safety of underground storage facilities are appropriate, taking into account the maintenance of gas pressure, prevention of leakage of gas and the avoidance of pollution"

It is noted by the Authority that the extraction of shale oil and shale gas through the practice of hydraulic fracturing can require a high volume of water (but this is partly dependant on the fracturing fluid being used). Therefore it is possible that this particular type of development could increase the level of demand for water in the authority area. Such matters will need to be discussed with this consultee as the WBMWLP develops.

It is clear that there are a range of matters that would need to be included within the final policy approach adopted by the emerging plan in respect of energy minerals.

Option 13.2: Do you think that there is a need for more certainty about where energy minerals might be worked in the future (such as mapping viable energy mineral resource areas)?

This option was supported by a number of respondents, who cited the need to have clarity and certainty in respect of the potential locations for such workings, but this should not preclude alternative sites being proposed.

Some respondents suggested that as some energy mineral developments are still developing such an approach may be hard to define. Others suggested that a criteria based approach would be preferable. Concern was raised in respect of this type of development and the potential impacts on planning designations and constraints in the authority.

It is agreed by the Authority that, at present, there is a distinct lack of clarity over the locations of viable energy mineral resources within the authority and it is recognised that as technology advances the extent of viable deposits may alter. Energy minerals, like all mineral deposits, can only be worked where they are found. However whilst the location of viable near surface mineral reserves, such as construction aggregates are generally well known, the location of some energy mineral deposits, such as deep coal, shale oil and shale gas are less well known. This is primarily due to the depth of these deposits (being kilometres below the surface), the precise nature of the source rocks and the ever evolving technologies that are opening up more and more locations for potential extraction (and the option of locating of the surface infrastructure some distance from the source rocks themselves).

A recent study has been completed by the British Geological Survey in conjunction with the Department of Energy and Climate Change on the Jurassic shales of the Weald Basin, which is a large area that extends across a substantial part of the South East. The recent DECC/BGS study covered an areas on 10,825km2 of southern Britain, the majority of West Berkshire is locate outside of the study area with the northern extent of the study area broadly following the West Berkshire / Hampshire border. However given the immaturity of the unconventional hydrocarbon industry it is unclear whether the geological deposits under West Berkshire could yield viable reserves of these hydrocarbons.

This matter is reflected in the PPG, which states that: “As an emerging form of energy supply, there is a pressing need to establish – through exploratory drilling – whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coal bed methane present to facilitate economically viable full scale production”. In effect the PPG supports the position that exploratory drilling and or seismic surveys along with test fracks and flow testing will be the only way that it can be conclusively determined whether there are viable reserves in any particular area.

Therefore whilst it might be preferable to investigate the potential locations of viable unconventional hydrocarbon reserves within the authority area, this task may be both time consuming and ultimately inconclusive. As such it is considered that a criteria based policy approach to enable proposals that do come forward to be adequately assessed is considered to be a more appropriate approach for the WBMWLP to adopt.

In addition, as confirmed by the PPG (Paragraph: 104 Reference ID: 27-104-20140306) the exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change have issued a license under the Petroleum Act 1998 (Petroleum License). At present no such licenses have been issued for the plan area, however there is a current licensing round being undertaken by DECC that closes in October 2014, therefore it is possible that such licenses may be issued in this, or any future licensing round.

It is agreed that the WBMWLP should include a policy / policies to enable the consideration of development associated with both conventional and unconventional hydrocarbon extraction to ensure that planning considerations, such as visual impacts, landscape impacts, impacts on neighbouring uses, environmental impacts, noise, traffic, dust etc can be fully considered should any applications come forward.

It is acknowledged that the extraction of shale oil and shale gas thorough the practice of hydraulic fracturing can require a high volume of water (but this is partly dependant on the fracturing fluid being used).

It is acknowledged that there are potential risks associated with shale oil and shale gas that are related to pollution of the water (including groundwater) environment. It is understood that the Environment Agency is the regulatory body that will assess the proposals risks to groundwater and the relevant permit will not be issued if the level of risk is unacceptable. On the basis that the responsibility to assess and monitor the risks to groundwater are a function of the necessary permit, issued and monitored by the Environment Agency, arguably such matters are outside the remit of the planning process. It is considered that ongoing discussions will be required with this consultee to determine whether there are any overriding reasons why such permits may not be permissible within the plan area.

It is clear that there are a range of matters that would need to be included within the final policy approach adopted by the emerging plan in respect of energy minerals.

Option 13.3: Do you think that the WBMWLP should identify strategic areas for the working of energy minerals (such as safeguarded areas / areas of search / preferred areas of working)?

This potential approach was supported by some respondents; however the issue of need and the lack of clarity over the potential location of viable reserves were raised as concerns that may impact on this approach. Concern was raised in respect of this type of development and the potential impacts of such development types on planning designations and constraints.

Some respondents referred to a preference for pursuing criteria based approach as opposed to strategic areas in the WBMWLP.

Whilst it may be preferable for the WBMWLP to identify strategic areas for the working of energy minerals, unfortunately at present there is a distinct lack of clarity over the locations of viable energy minerals. Energy minerals, like all mineral deposits, can only be worked where they are found. Whereas the location of viable near surface mineral reserves, such as construction aggregates are well known, the location of some energy mineral deposits, such as deep coal, shale oil and shale gas are less well known. This is primarily due to the depth of these deposits (being kilometres below the surface), the precise nature of the source rocks and the ever evolving technologies that are opening up more and more locations for potential extraction (and the location of the surface infrastructure some distance from the source rocks themselves).

A recent study has been completed by the British Geological Survey in conjunction with the Department of Energy and Climate Change on the Jurassic shales of the Weald Basin, which is a large area that extends across a substantial part of the South East. The recent DECC/BGS study covered an areas on 10,825km2 of southern Britain, the majority of West Berkshire is locate outside of the study area with the northern extent of the study area broadly following the West Berkshire / Hampshire border. However given the immaturity of the unconventional hydrocarbon industry it is unclear whether the geological deposits under West Berkshire could yield viable reserves of these hydrocarbons.

This matter is reflected in the PPG, which states that: “As an emerging form of energy supply, there is a pressing need to establish – through exploratory drilling – whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coal bed methane present to facilitate economically viable full scale production”. In effect the PPG supports the position that exploratory drilling and or seismic surveys along

with test fracks and flow testing will be the only way that it can be conclusively determined whether there are viable reserves in any particular area.

In addition, as confirmed by the PPG (Paragraph: 104 Reference ID: 27-104-20140306) the exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change have issued a licence under the Petroleum Act 1998 (Petroleum Licence). At present no such licenses have been issued for the plan area, however there is a current licensing round being undertaken by DECC that closed in October 2014 and it is possible that such licenses may be issued in this, or any future licensing round.

Therefore whilst it might be preferable to investigate the potential locations of viable unconventional hydrocarbon reserves within the authority area, this task may be both time consuming and ultimately inconclusive. As such, a criteria based policy approach to enable proposals that do come forward to be adequately assessed is considered to be a more prudent approach for the WBMWLP to adopt. This matter may need to be reviewed should any licenses be granted in the authority area in the current round of licensing being considered by DECC as paragraph 107 of the PPG (Reference ID: 27-107-20140306) confirms that "where appropriate, and mineral planning authorities may include specific locations should the onshore oil and gas industry wish to promote specific sites."

Paragraph 223 of the PPG (Reference ID: 27-223-20140728) confirms that when "considering applications for unconventional hydrocarbon development in National Parks, the Broads and Areas of Outstanding Natural Beauty, mineral planning authorities should give great weight to conserving their landscape and scenic beauty. These areas have the highest status of protection in relation to landscape and scenic beauty, and the conservation of wildlife and cultural heritage in these areas should be given great weight. Where applications represent major development, planning permission should be refused in National Parks, the Broads and Areas of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated they are in the public interest. The assessment that needs to be carried out, including any detrimental effect on the environment, such as the noise and traffic which may be associated with hydraulic fracturing, is set out in paragraph 116 of the National Planning Policy Framework". Therefore if the WBMWLP does adopt an approach whereby strategic areas where potential hydraulic fracturing are highlighted within the plan the presence of the AONB will be a key factor to be accounted for in this process.

It is clear that there are a range of matters that would need to be included within the final policy approach adopted by the emerging plan in respect of energy minerals.

Option 13.4: Do you think that the WBMWLP should include development management policies that can be used to consider any proposals for the working of energy minerals over the life of the development plan document?

This potential approach was well supported by those respondents who chose to make a comment on this issue. Again there were concerns raised in respect of this type of development and the potential impacts of such development types on planning designations and constraints. However the potential approach of including development management policies to consider proposals that may be forthcoming was universally supported.

Energy minerals, like all mineral deposits, can only be worked where they are found. Whereas the location of viable near surface mineral reserves, such as construction aggregates are well known, the location of some energy mineral deposits, such as deep coal, shale oil and shale gas are less well known. This is primarily due to the depth of these deposits (being kilometres below the surface), the precise nature of the source rocks and the

ever evolving technologies that are opening up more and more locations for potential extraction (and the location of the surface infrastructure some distance from the source rocks themselves).

As confirmed by the PPG (Paragraph: 104 Reference ID: 27-104-20140306) the exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change have issued a licence under the Petroleum Act 1998 (Petroleum Licence). At present no such licenses have been issued for the plan area, however there is a current licensing round being undertaken by DECC that closes in October 2014 and it is possible that such licenses may be issued in this, or any future licensing round.

It is understood that there are coal deposits located at considerable depth within West Berkshire. These deep coal deposits are considered unlikely to become commercially viable within the plan period, however, and notwithstanding the approach set out in the NPPF that sets a presumption against coal extraction, it is considered that the policy approach towards energy minerals in the WBMWLP should include these energy minerals, particularly given that the technologies surrounding coal bed methane extraction and underground gasification may evolve further in the future.

Given the immaturity of the unconventional hydrocarbon industry, the depth of the coal deposits below West Berkshire it is considered that criteria based planning policies for the working of all types of energy minerals is the most appropriate approach for the WBMWLP to progress with.

Such an approach would ensure that all relevant planning considerations, such as visual impacts, landscape impacts, impacts on neighbouring uses, environmental impacts, noise, traffic, dust etc can be fully considered should any applications come forward.

Summary

The responses to this issue suggest that the respondents who commented on this issue support the inclusion of policies that relate to energy minerals to ensure that applications that may be forthcoming can be considered against an appropriate planning framework.

When responding to this issue respondents raised concerns in respect of this type of development and the potential impacts of such development types on planning designations and constraints. Such matters will clearly be factors that will need to be accounted for in the final policy approach pursued.

There was a limited level of support for an approach that would include the identification of resource areas and individual sites, and the infancy of the unconventional hydrocarbon industry is such that it may be problematic to identify both resource areas or specific sites.

There was a far greater level of support for the inclusion of development management policies that are criteria based to ensure that applications that may be forthcoming can be considered against an appropriate planning framework.

It is worth noting that the exploratory, appraisal or production phase of hydrocarbon extraction can only take place in areas where the Department of Energy and Climate Change have issued a licence under the Petroleum Act 1998 (Petroleum Licence). At present no such licenses have been issued for the plan area, however there is a current licensing round being undertaken by DECC that closed in October 2014 and it is possible that such licenses may be issued in this, or any future licensing round.

It is considered by the Authority that whilst it might be preferable to investigate the potential locations of viable unconventional hydrocarbon reserves within the authority area, this task may be both time consuming and ultimately inconclusive. As such, a criteria based policy approach to enable proposals that do come forward to be adequately assessed is considered to be a more sensible approach for the WBMWLP to adopt. This matter may need to be reviewed should any licenses be granted in the authority area in the current round of licensing being considered by DECC as paragraph 107 of the PPG (Reference ID: 27-107-20140306) confirms that "where appropriate, and mineral planning authorities may include specific locations should the onshore oil and gas industry wish to promote specific sites."

Paragraph 223 of the PPG (Reference ID: 27-223-20140728) confirms that when "considering applications for unconventional hydrocarbon development in National Parks, the Broads and Areas of Outstanding Natural Beauty, mineral planning authorities should give great weight to conserving their landscape and scenic beauty. These areas have the highest status of protection in relation to landscape and scenic beauty, and the conservation of wildlife and cultural heritage in these areas should be given great weight. Where applications represent major development, planning permission should be refused in National Parks, the Broads and Areas of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated they are in the public interest. The assessment that needs to be carried out, including any detrimental effect on the environment, such as the noise and traffic which may be associated with hydraulic fracturing, is set out in paragraph 116 of the National Planning Policy Framework". Therefore if the WBMWLP does adopt an approach whereby strategic areas where potential hydraulic fracturing are highlighted within the plan the presence of the AONB will be a key factor to be accounted for in this process.

Waste Issue 14: Pattern of waste management

Option 14.1: Should West Berkshire seek to maintain a pattern of waste management facilities that concentrate on the upper parts of the waste hierarchy, such as recycling facilities?

This potential policy approach was generally well supported by the respondents who commented on this option. However, a number of respondents made reference to the need to ensure that such an approach did not prohibit waste management solutions lower down the waste hierarchy.

Reference was made to the ongoing demand for the landfilling of materials that cannot be recycled or reused (particular mention was made of inert landfill) and the immediate shortfall of non inert landfill in West Berkshire and the alternatives to this management method being at the lower end of the hierarchy.

Some respondents also referred to the need to ensure that the right balance of waste management infrastructure is developed to meet the needs of the authority area and therefore suggested that an approach that relied solely on one part of the waste hierarchy may be flawed.

It is acknowledged by the Authority that the waste hierarchy is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The Regulations encourage the options that deliver the best overall environmental outcome which may require specific waste streams to depart from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste.

The 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy.

Respondents made comments in respect of the ongoing requirement for landfilling of materials that cannot be recycled or recovered, and specifically reference was made to inert landfill. The point should be made that inert landfill materials (from which no further benefit can be made) can be utilised to ensure a beneficial restoration of mineral extraction sites.

Non-inert/non hazardous landfill has seen a general decline nationally in recent years, largely due to landfill tax, and regulations transposed from European Directives. Increasingly waste is seen as a resource rather than something to be disposed of. In addition the geology in West Berkshire is such that non inert landfill sites are likely to be difficult to develop. This is because the deposits of minerals that are currently worked in West Berkshire (relatively shallow sand and gravel deposits) are such that it is not economically viable to infill the created void space with anything other than inert waste materials; and-much of the underlying geology of the District is unsuitable for this type of landfilling from a groundwater pollution perspective.

It is recognised that, at present, there is very limited waste recovery capacity in West Berkshire, such that the majority of waste arisings within the authority that is sent for recovery is exported. This is not particularly surprising given that, as a relatively rural district the volumes of waste generated within the plan area may not be sufficient to be an adequate feedstock for a large scale recovery facility.

It is agreed by the Authority that this potential policy option, if pursued in the emerging plan, whilst seeking to concentrate on the upper tranches of the waste hierarchy must not preclude the delivery of facilities lower down the hierarchy, where such facilities do not prejudice the waste hierarchy.

Option 14.2: Should West Berkshire plan for a more diverse pattern of waste management facilities that cover all aspects of the waste hierarchy, excluding landfill?

This potential approach was less supported than option 14.1. And concern was raised that West Berkshire should not become an importer of waste. However, this option did receive some support from those parties who responded, with reference being made to the need to provide a wide range of waste facilities.

Some respondents suggested that this potential approach was more realistic than option 14.1. Reference was also made to there always being an element of landfill demand (again the need for inert landfill was mentioned) as well as there being a need for waste recovery capacity.

The waste hierarchy is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The Regulations encourage the options that deliver the best overall environmental outcome which may require specific waste streams to depart from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste. The 'Waste Management Plan for England' (December 2013) and the accompanying National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy.

It is agreed by the Authority that there is likely to continue to be an ongoing requirement for landfilling of materials that cannot be recycled or recovered, and it is acknowledged that this is likely to result in a small demand for both non-inert and inert landfill. The point should be made that inert landfill materials (from which no further benefit can be made) can be utilised to ensure a beneficial restoration of mineral extraction sites, which could be classed as "recovery".

Non-inert/non hazardous landfill has seen a general decline nationally in recent years, largely due to landfill tax, and regulations transposed from European Directives. Increasingly waste is seen as a resource rather than something to be disposed of. In addition the geology in West Berkshire is such that non inert landfill sites are likely to be difficult to develop. This is because the deposits of minerals that are currently worked in West Berkshire (relatively shallow sand and gravel deposits) are such that it is not economically viable to infill the created void space with anything other than inert waste materials; and-much of the underlying geology of the District is unsuitable for this type of landfilling from a groundwater pollution perspective.

It is also recognised that, at present, there is very limited waste recovery capacity in West Berkshire, such that the majority of waste arisings within the authority that is sent for recovery is exported. This is not particularly surprising given that, as a relatively rural district the volumes of waste generated within the plan area may not be sufficient to be an adequate feedstock for a large scale recovery facility.

It is agreed that this potential policy option, if pursued in the emerging plan, whilst seeking to concentrate on the upper tranches of the waste hierarchy must not preclude the delivery of

facilities lower down the hierarchy, where such facilities do not prejudice the waste hierarchy. It is also agreed that there will always be a requirement for landfilling of materials that cannot be recycled or recovered, and specifically applicable to the Authority inert landfill that can be used to ensure the beneficial restoration of mineral workings.

Option 14.3: Should West Berkshire plan for a more diverse pattern of waste management facilities that cover all aspects of the waste hierarchy, including landfill?

This potential approach received slightly less support that the proceeding two options presented under this issue, with a number of respondents referring to the need to seek to develop a strategy that looks to move away from the landfilling of waste.

Some respondents made reference to the importance on emphasising the upper parts of the waste hierarchy as well as the need to ensure that there is always going to be an element of landfill demand that needs to be met (reference made to inert landfill) to manage residual waste.

Consultees agreed with the Authority's view that it is important that society continues to recognise the importance of moving waste up the waste hierarchy and away from landfill. The waste hierarchy is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The Regulations encourage the options that deliver the best overall environmental outcome which may require specific waste streams to depart from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste. The 'Waste Management Plan for England' (December 2013) and the accompanying National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy.

It is agreed by the Authority that there is likely to continue to be an ongoing requirement for landfilling of materials that cannot be recycled or recovered, and it is acknowledged that this is likely to result in a small demand for both non-inert and inert landfill. The point should be made that inert landfill materials (from which no further benefit can be made) can be utilised to ensure a beneficial restoration of mineral extraction sites, which could be classed as "recovery".

Non-inert/non hazardous landfill has seen a general decline nationally in recent years, largely due to landfill tax, and regulations transposed from European Directives. Increasingly waste is seen as a resource rather than something to be disposed of.

It is very unlikely that non-inert/non hazardous landfill would be undertaken in West Berkshire specifically for geological reasons, namely: the deposits of minerals that are currently worked in West Berkshire (relatively shallow sand and gravel deposits) are such that it is not economically viable to infill the created void space with anything other than inert waste materials; and much of the underlying geology of the District is unsuitable for this type of landfilling from a groundwater pollution perspective.

It is agreed that there will always be a requirement for landfilling of materials that cannot be recycled or recovered, and specifically applicable to the Authority inert landfill that can be used to ensure the beneficial restoration of mineral workings. However it must also be recognised that the over provision of waste management capacity at the lower end of the waste hierarchy may, inadvertently, result in waste being managed lower down the hierarchy. As such the Authority considered that a strategy, which may seek to concentrate on the upper tranches of the waste hierarchy, must not preclude the delivery of facilities lower down the hierarchy, but only where such facilities do not prejudice the waste hierarchy.

Option 14.4: Do you think there is another strategy that the WBMWLP could develop, and if so, please explain what you think it should be?

Respondents to this option made reference to the potential to educate people to prevent the creation of waste in the first place and to encourage the repair/reuse and recycling of waste materials (waste hierarchy). Respondents also referred to the possibility of exporting waste and dispersing waste facilities more (away from the concentration at Beenham/Padworth).

It was suggested that there is a lack of recovery and disposal capacity for MSW, a lack of recycling, recovery and disposal capacity for C&I waste in the authority area. Some respondents considered that more information on hazardous waste is required. It was also suggested that more CDE and C&I sites with permanent planning consent would be required.

'Education' was put forward as an alternative strategy for encouraging development within specific tranches of the waste hierarchy. This is in line with the principles of the waste hierarchy (prevention), and is supported through 'A Municipal Waste Management Strategy for West Berkshire Council 2002 - 2022'. As the WBMWLP relates to planning and development issues however, it is likely that seeking to educate waste producers in an attempt to reduce overall waste reduction would go beyond the scope of the document.

The PPG (ref ID 28-006-20141016) states that the principles of self-sufficiency and proximity (commonly referred to as the 'proximity principle') are set out in Article 16 of the Waste Framework Directive, Local planning authorities are required, under regulation 18 of the 2011 Regulations which transposed the Directive, to have regard to these requirements when exercising their planning functions relating to waste management.

However, the PPG (ref ID 28-007-20141016) also states that there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.

The ability to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity.

In terms of the need for new / additional waste management capacity, it is envisaged that this matter will be considered further as the plan emerges to ensure that the final plan aims to deliver the right type of waste management capacity in the right places at the right time.

Summary
The responses to this issue suggest that the respondents (who commented on this issue) support the general approach of favouring those waste management functions that sit in the upper tranches of the waste hierarchy. This potential policy approach is supported by the Authority and when the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that it was clear that this potential approach was amongst the options that was most closely aligned to the sustainability objectives.

It is acknowledged that there is a need to ensure that any strategy that the WBMWLP seeks to deliver needs to be sufficiently flexible and therefore facilities that sit lower down the waste hierarchy will also be required. However, it is considered important that the emerging plan does not over provide capacity at the lower ends of the heirarchy as this could result in the development of a strategy that is could contrary to the waste heirarchy.

It is recognised that that there will always be residual waste that needs to be disposed of to land, however it is considered unlikley that non-inert landfill provision will be brought forward over the life of the emerging plan due to the national downward trend in the landfilling of non-inert waste and the geological makeup of the plan area.

It is agreed that 'Education' about how to produce less waste was suggested, and this would be in line with the Waste (England and Wales) Regulations 2011 which make the waste hierarchy a legal requirement. 'Prevention' is at the top of the waste hierarchy which could be achievable through 'education'. This however goes beyond the scope of a Local Plan which is chiefly concerned with land-use.

It is also noted that the PPG (ref ID 28-007-20141016) also states that there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively. Although there will always be cross-boundary movements of waste, it is unlikely to be acceptable to have a policy approach that purely seeks to increase the quantity of waste that is exported for management outside of West Berkshire.

Waste Issue 15: Self sufficiency in waste management

Option 15.1: Should West Berkshire plan for net self sufficiency, with the aim to plan for the provision of sufficient waste management capacity (recycling, treatment and recovery facilities) equal to the volume of waste arising in West Berkshire?

This potential policy approach that could be developed as part of the emerging plan was generally well supported by the respondents who commented on this option, however respondents commented on the importance of working with neighbouring authorities to ensure that the most sustainable strategy is developed and to ensure that cross boundary movements of waste are adequately accounted for. Reference was also made to the need to ensure that a robust waste evidence base is developed to support the chosen approach.

Reference was made to the fact that some of the facilities located in West Berkshire principally meet the needs of neighbouring authority areas and therefore a broader view of assessing need should be undertaken, and therefore pursuing option 15.1 may not fulfil the requirements of the NPPF or reflect the DTC.

Some respondents made reference to the need to protect the sensitive areas in West Berkshire (particular reference was made to the AONB) and this needed to be considered in the formulation of the preferred strategy for waste management.

Concern was raised that such an approach may lead to under provision of capacity should facilities not come forward. Objection was raised in respect of the lack of clarity as to whether the WBMWLP would adequately consider the need for waste facilities to meet the wider needs of Berkshire.

It was also suggested that the geographical makeup of West Berkshire was such that it was unnecessary to develop a strategy that promotes further waste sites when existing sites exist in neighbouring authority areas that could manage waste arising within West Berkshire.

Comments were made in relation to working with neighbouring authorities and whether this approach would meet the requirements of the NPPF and DTC in particular. It is agreed by the Authority that NPPF paragraph 178 states that “Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans” and paragraph 178 states that “The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.”

As part of the ‘Duty to Cooperate’ (a procedural requirement of a sound plan) officers are actively participating in discussions around strategic minerals and waste matters with neighbouring authorities. It is envisaged that the DTC process will ensure that the plan is positively prepared, with “early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area,” (paragraph 155 NPPF).

Some consultees responding on the consultation suggested that existing sites in neighbouring authorities could be used for managing waste arising in West Berkshire rather than planning for the management of this waste within the Authority area. However, the NPPW (2014) states that: “positive planning plays a pivotal role in delivering this country’s waste ambitions through, inter alia providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of, or in the case of mixed municipal waste from households, recovered, in line with the proximity principle”. This suggests that an approach that relies

upon neighbouring authority areas might not be complicit with the NPPW, unless there is an overriding reason why the waste cannot be managed within the authority area.

The PPG (ref ID 28-006-20141016) refers to the principles of self-sufficiency and proximity (commonly referred to as the 'proximity principle' that are set out in Article 16 of the Waste Framework Directive), Local planning authorities are required, under regulation 18 of the 2011 Regulations which transposed the Directive, to have regard to these requirements when exercising their planning functions relating to waste management.

However, the PPG (ref ID 28-007-20141016) also confirms that there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.

It is recognised that the ability to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity.

Comments were made in relation to the planning constraints in West Berkshire including the AONB. It is agreed that such designations may have an impact on the delivery of waste management capacity, depending on the impacts of the delivery of sites.

It is considered that this potential policy approach (planning for net self sufficiency in waste management capacity) would be aligned to the NPPF, NPPW and PPG and therefore could be a possible approach to be pursued in the emerging plan. However it is appreciated that whilst the planning process can plan for the provision of waste management capacity it will be up to the industry to bring forward the sites and deliver the capacity "on the ground".

Option 15.2: Should West Berkshire plan for a level of waste management capacity (recycling, treatment and recovery facilities) greater than the volume of waste arising in West Berkshire?)

There was a level of support from the respondents on this potential approach with reference made to the cross boundary flows of waste materials. It was also suggested that planning for an over provision of waste management capacity would ensure that sufficient capacity would be delivered, given that some sites may not come forward and some sites need regular "down time". Respondents also made reference to seeking to place a planning policy restriction on supply in a commercial market was unacceptable.

Some respondents who did not support this approach, suggested that there was no need for West Berkshire to be a net importer of waste materials and that, as a small authority, it was inappropriate to meet the waste needs of other authority areas.

Reference was made to the importance of ensuring that an appropriate level of waste management disposal capacity was catered for in the WBMWLP. Reference was also made to the need to ensure that acceptable waste development, which does not generate adverse impacts, should not be resisted, even if it gives rise to a level of capacity greater than the volume of demand.

Some respondents made reference to the need to consider the planning constraints and local designations and the need to protect the sensitive areas in West Berkshire (particular

reference was made to the need to protect the AONB) and this needed to be considered in the formulation of the preferred strategy.

Reference was made to the fact that some of the facilities located in West Berkshire principally meet the needs of neighbouring authority areas and therefore a broader view of assessing need should be undertaken to ensure compliance with the NPPF and reflect the DTC requirements.

Comments were made in relation to cross-boundary movements of waste with some respondents suggesting this was beneficial and others being critical of such an approach. NPPF paragraph 178 states that "Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans" and that paragraph 178 states that "The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities."

As part of the 'Duty to Cooperate' (a procedural requirement of a sound plan) officers are willing, and already actively participates in discussions around strategic minerals and waste matters with neighbouring authorities, in line with the PPG (Ref ID: 9-021-20140410) "The Duty to Cooperate requires authorities to work effectively on strategic planning matters that cross their administrative boundaries" and "have or would have a significant impact on at least two planning areas, in particular in connection with strategic infrastructure." This will ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 NPPF).

The authority already has a level of understanding of the cross boundary movements of waste and, generally speaking, the total amount of waste that is understood to be managed in West Berkshire exceeds the total amount of waste understood to arise in the authority. These matters and further evidence in respect of waste arisings, movements and management capacities are likely to emerge as the plan develops.

The NPPW (2014) states that positive planning plays a pivotal role in delivering this country's waste ambitions through, inter alia providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of, or in the case of mixed municipal waste from households, recovered, in line with the proximity principle. The PPG (ref ID 28-006-20141016) confirms that the principles of self-sufficiency and proximity (commonly referred to as the 'proximity principle') are set out in Article 16 of the Waste Framework Directive, Local planning authorities are required, under regulation 18 of the 2011 Regulations which transposed the Directive, to have regard to these requirements when exercising their planning functions relating to waste management.

Some respondents suggested that there was no need for West Berkshire to take waste from other authority areas and that as it is a small authority area it was inappropriate. However, the PPG (ref ID 28-007-20141016) confirms that there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.

It is accepted that there are nearby local authorities that only have a limited amount of waste management capacity that rely on their neighbours to manage waste arisings. There are also authorities where there is a distinct lack of capacity in a particular waste management type, such as West Berkshire where there is no non inert landfill capacity meaning that all non inert waste that is disposed of to land is exported. Such patterns of waste movements are not unusual and are a function on the range and types of waste management facilities found across the whole of the UK. The ability for the waste industry to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity.

It is considered that this potential policy approach (planning for a greater level of waste management capacity that the level of waste arisings) would be aligned to the NPPF, NPPW and PPG and therefore could be a possible approach to be pursued in the emerging plan.

In principle it appears that such a policy approach is realistically deliverable for the authority to seek to deliver in the emerging plan and an over provision of some waste management types would ensure that net self sufficiency is still achieved, despite deficiencies in certain waste management types (such as non inert landfill). However, it is appreciated that whilst the planning process can plan for the provision of waste management capacity it will be up to the industry to bring forward the sites and deliver the capacity "on the ground".

Option 15.3: Should West Berkshire plan for a level of waste management capacity (recycling, treatment and recovery facilities) that is less than the volume of waste arising in West Berkshire

This potential approach was not well supported. Respondents made reference to such an approach as being unsound as it would result in forcing waste outside the authority area. However, some respondents did support this potential approach.

Considerable reference was made to the need to ensure that a sustainable strategy was developed that involved cooperation with neighbouring authority areas to ensure that the appropriate level of waste management capacity was delivered.

Although there was some support for this approach, the majority of respondents indicated that such an approach that would effectively force waste to be exported from the area would generally be unsound.

It is recognised by the Authority that National policy is unlikely to be supportive of this approach in that the NPPW (2014) confirms that positive planning plays a pivotal role in delivering this country's waste ambitions through, inter alia providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of, or in the case of mixed municipal waste from households, recovered, in line with the proximity principle.

The PPG (ref ID 28-006-20141016) confirms that the principles of self-sufficiency and proximity (commonly referred to as the 'proximity principle') are set out in Article 16 of the Waste Framework Directive, Local planning authorities are required, under regulation 18 of the 2011 Regulations which transposed the Directive, to have regard to these requirements when exercising their planning functions relating to waste management.

However, the PPG (ref ID 28-007-20141016) also confirms that there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly

some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.

The ability to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity.

Some respondents made reference to the option of developing a joint strategy in cooperation with neighbouring authorities. As part of the 'Duty to Cooperate' (a procedural requirement of a sound plan) officers are actively involved in discussions on strategic minerals and waste matters with neighbouring authorities. It is considered that the DTC will ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 NPPF).

It is agreed by the Authority that, unless there is a specific overriding reason why the plan has no option but to adopt such a potential approach, it is unlikely to be an acceptable approach. Such a rationale would also have to be supported by clear, robust and up to date evidence. It is acknowledged that whilst the planning process can plan for the provision of waste management capacity it will be up to the industry to bring forward the sites and deliver the capacity "on the ground". However, it is considered that there would have to be an exceptional set of circumstances that would result in a waste plan seeking to set a policy approach that actively aims to provide for a level of waste management capacity that is below the level of waste arisings.

Option 15.4: Do you think there is another strategy that the WBMWLP could develop? If so, please explain what you think it should be.

A large number of respondents on this option made reference to the potential for working with other authorities to develop the most sustainable strategy.

A limited number of respondents made reference to the need to the importance of recycling and reusing waste, suggesting that an approach that supports the upper tranches of the waste hierarchy could be pursued. Reference was also made to the importance of developing a strategy that includes the consideration of planning designations and sensitive areas.

Comments were received making reference to the potential for joint working to develop the most sustainable strategy. Whilst these comments are acknowledged the potential for developing a joint minerals and waste plan that spanned a number of authority boundaries was considered by the Council at the outset of the development of the WBMWLP when it was decided by the Council that an authority specific plan should be developed.

This is not to say that the Authority will not work with other authority areas. As part of the 'Duty to Cooperate' (a procedural requirement of a sound plan) officers are willing and already actively participate in discussions on strategic minerals and waste matters with neighbouring authorities, in line with the PPG (Ref ID: 9-021-20140410) It is considered by the Authority that this will ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 NPPF).

This approach is reinforced by paragraph 178 if the NPPF, which states that "Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans" and paragraph 178 states that "The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities." Cooperation between authorities may also be considered by an independent Planning Inspector, as part of the criteria stated within the NPPF, for the 'soundness' of a plan. If so, an Inspector could consider whether the plan is effective (based on effective joint working on cross-boundary strategic priorities).

It is considered that the Duty to cooperate is a suitable vehicle that will allow the authority to develop a sound mineral and waste development plan that ensures the sustainable development of West Berkshire, as well as surrounding (and further afield) areas.

The other comments provided did not suggest an alternative approach, instead cross referring back to the options already outlined in the consultation document.

Summary

The respondents on this issue generally supported the self sufficiency principle, but there was recognition that the authority needs to consider, and work, with neighbouring authorities in developing the policy approach towards waste management.

Comments were made which intimated that adopting an approach of 'net self sufficiency' (option 15.1) may fall short of the NPPF and specifically DTC requirements. WBC is willing to cooperate with neighbouring authorities throughout the plan making process on any relevant, strategic issues including whether or not another authority is unable to accommodate its own waste management need. If a neighbouring authority was able to provide evidence that there was an unmet need within its area, and it was considered by them that this need should / could be borne by WBC, WBC is willing to cooperate and negotiate with that neighbouring authority in relation to this. Therefore, in the absence of any evidence to contradict this, as it stands this approach is considered to be aligned to national policy and guidance, and is likely to be a sensible policy approach in principle that could be pursued by the emerging plan.

There was slightly greater support for this option 15.2 although the need to plan for a volume of waste greater than that arising in West Berkshire was questioned. It is considered that this potential policy approach (planning for a greater level of waste management capacity that the level of waste arisings) would be aligned to the NPPF, NPPW and PPG and therefore could be a possible approach to be pursued in the emerging plan. In principle it appears that such a policy approach is realistically deliverable for the authority to seek to deliver in the emerging plan and an over provision of some waste management types would ensure that net self sufficiency is still achieved, despite deficiencies in certain waste management types (such as non inert landfill). However, it is appreciated that whilst the planning process can plan for the provision of waste management capacity it will be up to the industry to bring forward the sites and deliver the capacity "on the ground".

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that option 1 was the most aligned to the sustainability objectives. These sustainability factors will be considered further in the development of the emerging plan.

Whichever option is progressed in the emerging plan it is worth noting that, whilst the plan may "plan for" the provision a particular level of waste management capacity the plan is highly unlikely to seek to place a "cap" or "absolute maximum" on the level of waste management capacity that can be provided within the authority area.

Waste Issue 16: Landfill / Land raising of non inert wastes

Option 16.1: Should West Berkshire plan to meet the demand for the disposal of non inert waste that is generated in West Berkshire to land (either by landfill or land raising)?

This potential policy approach that could be pursued by the emerging plan was almost universally opposed by the majority of respondents who commented on this issue. Reference was made to the preference of moving away from the landfilling of waste and the preference of maximising the recovery of residual waste, or management of waste higher up the waste hierarchy.

More specifically respondents referred to this option as not being geologically possible in West Berkshire, with reference to the lack of potential sites suitable for the landfilling of such non inert waste. Concern was raised over the suitability of landfilling waste in groundwater source protection zones. The importance of working with other / neighbouring authorities was highlighted as important by a number of respondents as being a potential solution.

Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

The last landfill site in West Berkshire that was permitted to accept non-inert waste ceased accepting such waste in 2005. Therefore, since the closure of this site, all the residual waste that originates within West Berkshire, which is disposed of to non inert landfill, has been disposed of outside the authority. It is understood, generally speaking, that there is currently no significant demand for the provision of new non-inert landfill capacity across the UK. It is understood that the increases in landfill tax have succeeded in diverting waste from landfill to other waste management technologies, such that more waste is managed higher up the waste hierarchy (which is advocated within 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014).

The authority recognises that there is likely to always be a demand for landfill, to dispose of wastes from which no further value can be obtained. However it is envisaged that, in the future, such demand will be met by a small number of widely distributed sites that import waste for larger areas. This is a significant change from the historic position whereby most authorities had their own local landfill sites that met the local demand.

It is understood that recent changes to the environmental criteria relating to the landfilling of non-inert waste is such that the deposits of minerals that are currently worked in West Berkshire (relatively shallow sand and gravel geology deposits) are unsuitable for non-inert landfill. Such sites are generally located in areas at risk of flooding and are of such a depth that it is not economically viable to infill the created void space with anything other than inert waste materials (as other waste streams may require expensive engineering making the cost of landfill prohibitively expensive).

The LWA document that supported this consultation indicates that there has also been a steady increase in both treatment and incineration permits in England, which is generally in line with the major changes in waste management techniques, from historic methods of favouring disposal to landfill towards managing waste higher up the waste hierarchy.

At present West Berkshire has no landfill or waste recovery capacity for managing municipal solid waste or household and commercial waste (or non hazardous waste). It is considered that further work needs to be completed on this topic to define the waste need for such facilities, likely viability and deliverability of new sites within West Berkshire and if determined not possible, the authority undertake duty to cooperate discussions to

understand if this unmet need could be met elsewhere if there remains a shortfall in capacity. Such an approach would align with the PPG (Reference ID: 9-003-20140306) which states that "prior to submitting a local plan in these circumstances Local Planning Authorities should have explored all available options for delivering the planning strategy within their own planning area." The PPG (Reference ID: 9-016-20140306) continues that any such (formal) agreements should be "as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy."

PPG (Reference ID: 9-020-20140306) which states that "if a local planning authority preparing a Local Plan provides robust evidence of an unmet requirement, such as unmet housing need, identified in a Strategic Housing Market Assessment, other local planning authorities in the housing market area will be required to consider the implications, including the need to review their housing policies." Although the PPG continues (Reference ID: 9-021-20140410) that "the Duty to Cooperate is not a duty to agree and local planning authorities are not obliged to accept the unmet needs of other planning authorities if they have robust evidence that this would be inconsistent with the policies set out in the National Planning Policy Framework, for example policies on Green Belt, or other environmental constraints."

As part of the plan making process West Berkshire has and will engage with authorities as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan). As such officers are actively involved in discussions on strategic Minerals and Waste matters with neighbouring authorities, in line with the PPG (Ref ID: 9-021-20140410) "the Duty to Cooperate requires authorities to work effectively on strategic planning matters that cross their administrative boundaries" and "have or would have a significant impact on at least two planning areas, in particular in connection with strategic infrastructure." This will ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 of NPPF).

Option 16.2: If West Berkshire is not going to plan for the disposal of non inert waste to land, within the authority, do you agree that the authority should plan to provide a greater amount of recycling capacity to maximise recycling rates and maximise the value that can be derived from waste materials?

This potential approach was generally well supported with most respondents who commented on this issue agreeing that a lack of landfill provision should be balanced by an enhanced level of waste management facilities higher up the waste hierarchy. Reference was made to the need to ensure that cross boundary working is fully considered by some respondents. Other respondents made reference to a preference to only manage waste arising in the authority.

A number of respondents made reference to the importance of a suitable mix of waste management facilities, referring to the need for recycling, recovery and transfer facilities. Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

The LWA document that supported the consultation indicates that there has been a steady increase in both treatment and incineration permits in England, which is generally in line with the major changes in waste management techniques, from historic methods of favouring disposal to landfill towards managing waste higher up the waste hierarchy (which is advocated within Waste (England and Wales) Regulations 2011, 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014).

Notwithstanding this the Authority does acknowledge that some wastes will need to be managed further down the waste hierarchy by recovery or disposal processes. Further work needs to be completed on this topic to define the waste need in the future and understand how this would apply to different waste facilities and understand the viability and deliverability of new sites within West Berkshire (i.e. if sites (and facility types) have been promoted for this use during the 'Call for Sites' process).

The Authority considers that the emerging plan should seek to attain a position where waste management capacity is equivalent to 'net self sufficiency'. Such an approach will assume that some wastes will transcend administrative boundaries, for example, to make use of the larger recycling capacity that West Berkshire provides or to make use of existing recovery or non hazardous disposal facilities within surrounding authorities in the South East. Such an approach does assume that all authorities will seek to provide equivalent provision for 'net self sufficiency' within their authorities plan making process to ensure a net balance of waste movements.

It is considered that this approach would be supported by the PPG (Reference ID: 9-020-20140306) which states that "if a local planning authority preparing a Local Plan provides robust evidence of an unmet requirement, such as unmet housing need, identified in a Strategic Housing Market Assessment, other local planning authorities in the housing market area will be required to consider the implications, including the need to review their housing policies." Although the PPG continues (Reference ID: 9-021-20140410) that "the Duty to Cooperate is not a duty to agree and local planning authorities are not obliged to accept the unmet needs of other planning authorities if they have robust evidence that this would be inconsistent with the policies set out in the National Planning Policy Framework, for example policies on Green Belt, or other environmental constraints." As part of the plan making process West Berkshire has and will engage with authorities as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan). As such officers are actively involved in discussions on strategic Minerals and Waste matters with neighbouring authorities, in line with the PPG (Ref ID: 9-021-20140410) to ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 NPPF).

Once more evidence has been collated and such discussions have been had with surrounding authorities, West Berkshire will be in a much more informed position with regards to projected waste need, until quantified it is impossible for the Authority to identify whether an 'maximum of' or 'at least' tonnage policy / strategic approach in the WBMWLP is realistic or deliverable through the potential site allocations (received as part of the minerals and waste Call for Sites process). Although, at this stage, the Authority believes that the WBMWLP should include policies to allow speculative applications to be determined against the spatial framework throughout the plan period to allow maximum flexibility of the strategy.

Option 16.3: If West Berkshire is not going to plan for the disposal of non inert waste to land within the authority, do you agree that the authority should plan to provide a greater amount of recovery and / or treatment capacity to maximise the value that can be derived from waste materials, and minimise the volumes of waste originating in West Berkshire that is disposed of to land?

This potential approach was well supported with vast majority of respondents who commented on this issue agreeing that a lack of landfill provision should be balanced by an enhanced level of waste management facilities that would deliver recovery / treatment

capacity. Reference was again made to the need to ensure that cross boundary working is fully considered.

A number of respondents made reference to the importance of a suitable mix of waste management facilities, referring to the need for recycling, recovery and transfer facilities. Reference was made to the importance of recycling in the home and minimisation of waste generation. Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

The LWA document that supported the consultation indicates that there has been a steady increase in both treatment and incineration permits in England, which is generally in line with the major changes in waste management techniques, from historic methods of favouring disposal to landfill towards managing waste higher up the waste hierarchy (which is advocated within Waste (England and Wales) Regulations 2011, 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014). The Authority acknowledges that some wastes will need to be managed further down the waste hierarchy by recovery or disposal processes. Further work needs to be completed on this topic to define the waste need in the future and understand how this would apply to different waste facilities and understand the viability and deliverability of new sites within West Berkshire (i.e. if sites (and facility types) have been promoted for this use during the 'Call for Sites' process).

The Authority considers that the emerging plan should seek to attain a position where waste management capacity is equivalent to 'net self sufficiency'. Such an approach will assume that some wastes will transcend administrative boundaries, for example, to make use of the larger recycling capacity that West Berkshire provides or to make use of existing recovery or non hazardous disposal facilities within surrounding authorities in the South East. Such an approach does assume that all authorities will seek to provide equivalent provision for 'net self sufficiency' within their authorities plan making process to ensure a net balance of waste movements.

It is considered that this approach would be supported by the PPG (Reference ID: 9-020-20140306) which states that "if a local planning authority preparing a Local Plan provides robust evidence of an unmet requirement, such as unmet housing need, identified in a Strategic Housing Market Assessment, other local planning authorities in the housing market area will be required to consider the implications, including the need to review their housing policies." Although the PPG continues (Reference ID: 9-021-20140410) that "the Duty to Cooperate is not a duty to agree and local planning authorities are not obliged to accept the unmet needs of other planning authorities if they have robust evidence that this would be inconsistent with the policies set out in the National Planning Policy Framework, for example policies on Green Belt, or other environmental constraints." As part of the plan making process West Berkshire has and will engage with authorities as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan). As such officers are actively involved in discussions on strategic Minerals and Waste matters with neighbouring authorities, in line with the PPG (Ref ID: 9-021-20140410) to ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 NPPF).

Once further evidence has been collated and such discussions have been had with surrounding authorities, West Berkshire will be in a much more informed position with regards to projected waste need, until quantified it is impossible for the Authority to identify whether an 'maximum of' or 'at least' tonnage policy in the WBMWLP is realistic or deliverable through the potential site allocations (received as part of the minerals and waste Call for Sites process). Although the Authority believes that the WBMWLP should include

policies to allow speculative applications to be determined against the spatial framework throughout the plan period to allow maximum flexibility of the strategy.

Option 16.4: Do you think there is another strategy that the WBMWLP could develop? If so please explain what you think it should be.

Reference was made to a number of alternative approaches that the plan making process could pursue. The majority of respondent who commented on this option made reference to the potential for the authority to work with neighbouring authorities in one way or another.

Some respondents made reference to the potential to minimise the volumes of waste that require disposal, to minimise the demand for landfill. Again, respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

The Authority recognises that the waste hierarchy is a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The 'Waste Management Plan for England' (December 2013) and the National Planning Policy for Waste (October 2014) both advocate a focus on the movement of waste up the waste hierarchy.

The LWA also documents that there has been a steady increase in both treatment and incineration permits in England, which is generally in line with the major changes in waste management techniques, from historic methods of favouring disposal to landfill towards managing waste higher up the waste hierarchy Although the Authority acknowledges that some wastes will need to be managed further down the waste hierarchy by recovery or disposal processes. Further work needs to be completed on this topic to define the waste need in the future and understand how this would apply to different waste facilities and understand the viability and deliverability of new sites within West Berkshire (i.e. if sites (and facility types) have been promoted for this use during the 'Call for Sites' process).

Some comments relate to consideration that the Authority should give to the impacts of such landfilling proposals on the existing landscape character of the area. Any such proposals (via plan making or planning application processes) should take account of any existing Landscape Character Assessments or Historic Landscape Characterisation reports completed by West Berkshire Council. The development of the WBMWLP shall provide the policy framework to assess planning applications, including such matters which could impact local communities surrounding a proposal. The Authority recognises that the development of the WBMWLP shall provide an updated policy framework to assess planning applications, including such environmental matters which could impact local communities and the local environment surrounding a proposal. Such considerations are also reflected within the proposed site nomination assessment form (for sites received as part of the minerals and waste Call for Sites process (January-February 2014)), which was included within the Issues and Options WBMWLP, Appendix 2.

The Authority considers that the emerging plan should seek to attain a position where waste management capacity is equivalent to 'net self sufficiency'. Such an approach will assume that some wastes will transcend administrative boundaries, for example, to make use of the larger recycling capacity that West Berkshire provides or to make use of existing recovery or non hazardous disposal facilities within surrounding authorities in the South East. Such an approach does assume that all authorities will seek to provide equivalent provision for 'net self sufficiency' within their authorities plan making process to ensure a net balance of waste movements.

Summary

The respondents on this issue were, in the main, opposed to the potential for the disposal of residual waste generated in the authority to be landfilled within West Berkshire. There was a considerable level of support for the development of a planning strategy that would seek to maximise waste recycling capacity and waste recycling rates as well as maximising the level of waste recovery and treatment capacity, thus minimising the volume of waste needing disposal to landfill.

It is apparent that further work will be required in respect of determining the level of demand for the landfill of municipal solid waste or household and commercial waste (or hazardous waste) generated by West Berkshire. It is considered unlikely that landfill capacity for these waste streams will be forthcoming as part of the emerging plan. Notwithstanding that the emerging plan could plan for the provision of such landfill capacity (and notwithstanding the fact that landfill is at the bottom of the waste hierarchy it would still be up to the industry to bring forward the sites and deliver the capacity "on the ground", without industry backing any policy approach would be difficult, if not impossible to deliver. At present there appears, nationally, to be minimal interest in developing new landfill sites and therefore it is apparent that the emerging plan will need to adopt a different approach to the demand for the landfilling of the residues from these waste streams that will rely on other authority areas.

In developing such an approach that relies on other authorities for non-inert landfill capacity it is considered that it would be possible for the emerging plan to aim to offset or balance the lack of non-inert landfill capacity with additional waste management capacity higher up the waste hierarchy. Such an approach was generally supported by respondents and would ensure that the authority plans for net self sufficiency in waste management capacity (as endorsed by the NPPW) as well as driving waste up the waste hierarchy. Whether there should be a greater emphasis on recycling, or recovery, or treatment in terms of achieving this balance will need to be established as the plan develops and the viability and deliverability of new sites within West Berkshire is understood.

The Authority considers that the emerging plan should seek to attain a position where waste management capacity is equivalent to 'net self sufficiency'. Such an approach will assume that some wastes will transcend administrative boundaries. However it is recognised that such an approach does assume that all authorities will seek to provide equivalent provision for 'net self sufficiency' within their authorities plan making process to ensure a net balance of waste movements.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that the options that are most likely to be progressed were the options that were more aligned to the sustainability objectives. Clearly such sustainability factors will be considered further in the development of the emerging plan.

Waste Issue 17: Location and distribution of waste sites

Option 17.1: Do you consider that, when planning for the waste management requirements of West Berkshire the WBMWLP should aim towards:
(i) The expansion of existing permanent facilities and the co-location of new facilities with existing permanent facilities;
(ii) The concentration of new facilities in the larger urban areas and centres of population and growth;
(iii) A decentralisation approach with facilities distributed evenly across both the urban areas and rural areas within West Berkshire;
(iv) The concentration of new facilities in areas of waste arisings that currently have limited existing capacity;
(v) A hybrid of one of more of the above options.

Option (v), the development of a hybrid approach that included all of (i) to (iv) gained the greatest level of support from the respondents who made comments on this issue. Some consultees made reference to the need to ensure that waste generated in urban areas should be managed in these same areas. A number of respondents suggested that an expansion of existing sites would also be preferable to the development of new facilities. Reference was made to the need to prioritise industrial areas and brown field sites and minimising transportation distances.

Consultees responding on the consultation also referred the need to ensure that any energy from waste facilities need to be suitably located to ensure that the heat and energy can be used efficiently. Some respondents suggested that there was a need to distribute waste facilities across the authority area to meet the demands of the various waste streams. Concern was raised that many of the "industrial areas" in the authority are considered to be "business parks" where the landowners are opposed to waste uses and such sites might not be suitable for waste uses.

Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy. Specifically concern was raised over the location of waste facilities in the AONB and the need to ensure that any facilities located in this area are appropriate in scale and do not impact negatively on the characteristics of this designation.

It is recognised by the Authority that the expansion of existing facilities and co-locate new facilities alongside existing permanent waste sites (option 17(i)) is an approach that is acknowledged by the National Planning Policy for Waste (October 2014) to be a possible approach, alongside consideration of whether existing sites could make up any shortfall in capacity. However the cumulative effect of waste management facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential as well as the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery are also identified in the NPPW as factors to be taken into consideration. This suggests that, whilst it may be appropriate, in some cases, to co-locate new waste facilities alongside existing ones, this will not always be the case.

It is accepted that, from a sustainability perspective, one of the most appropriate approaches would be likely to involve an approach whereby new waste facilities are located in close proximity to the sources of waste arisings (such as urban areas) (option 17(ii)), recognising that waste movements cross authority boundaries such that sources of waste arisings from beyond an administrative boundary also has to be considered. Such an approach would generally align to the proximity principle, a well established principle set out in European Directives, incorporated into the Waste Management Plan for England (December 2013) and

referred to in paragraph 3 of PPS10, where it states that communities should "take responsibility for their own waste". The main premise behind this principle is to ensure that, where possible, waste is managed in the nearest appropriate installation, thereby reducing the adverse impacts generally associated with the transportation of waste. However the NPPW also confirms that the physical and environmental constraints on development, including existing and proposed neighbouring land uses and significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential also have to be taken into consideration. Such considerations may result in the conclusion that for some waste types or waste facilities, when located in existing urban locations, may not always be appropriate.

It is considered that a decentralised spatial approach, whereby waste sites are distributed evenly across the more urban and rural areas of the authority may assist in "sharing the burden" that waste sites are perceived to generate. However such an approach makes the assumption that there is an equal level of demand for waste facilities in both the urban and rural areas and that, unfortunately this is rarely the case and whilst it could be argued that rural locations have less receptors nearby, there are other issues such as visual impact or highways access that may make rural locations unsuitable for some waste uses.

On a superficial level there does appear to be a logic to the pursuance of an approach whereby new waste facilities are located in areas of limited capacity to "fill capacity gaps" (option 17(iv)), however this is based on the assumption that locations that are currently lacking in existing waste management capacity are also lacking additional capacity to meet the level of need. Unfortunately the demand for waste facilities across a geographical area is unlikely to be uniform, for example urban areas, generally speaking, will generate a greater volume of waste than rural areas, but then there may be waste streams where this pattern is reversed, such as with equine or agricultural waste. There are also issues relating to economies of scale, and a large number of small facilities spread evenly across a large area may not be as sustainable as a single larger facility serving the same area.

It is agreed by the Authority that that there is no one size fits all strategy for the location of waste facilities and it is considered that a case by case approach would appear more appropriate given the issues relating to economies of scale, movements of waste, impacts on environmental quality, social cohesion and inclusion or economic potential. The NPPW confirms that, when planning strategically for new waste sites, planning authorities should: "give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages." Placing an emphasis on the use of such sites for waste uses, irrespective of their location, this may not align to a specific locational strategy.

The "locational criteria" identified in the NPPW places an emphasis on consideration of matters such as water resources, land stability, visual intrusion, nature conservation, the historic environment, traffic and access, air emissions (including dust), odours vermin and birds, noise and vibration, litter and conflicts with other land uses. It is clear that there are a myriad of factors that are critical to the locational strategy for waste sites and it is considered that a "one size fits all" approach is not necessarily suitable; therefore it is considered that the WBMWLP should progress with option (v).

Option 17.2: Do you think there is another strategy that the WBMWLP could develop? If so, please explain what you think it should be?

Reference was made to the potential option of locating new facilities close to the primary road network. Respondents suggested that factors such as economies of scale, geographical context, proximity to waste arisings, transportation and environmental constraints should all be used to define the pattern of future waste facilities.

Consideration of whether temporary sites should be allowed as permanent facilities was also suggested as a potential approach.

It is agreed that locating sites in close proximity to the primary road network should be a more sustainable approach to the location of waste management facilities. However the proximity to the primary road network is one of the multitude of factors that needs to be considered when planning strategically for the location of waste management facilities. It is considered that whilst this is an important factor this is not necessarily an overriding consideration given that the primary road network in the authority extends throughout rural areas and sensitive areas, such as the AONB. It is clear that there are a myriad of factors that are critical to the locational strategy for waste sites and it is considered that a "one size fits all" approach is not necessarily suitable; therefore it is considered that the WBMWLP should progress with a hybrid of the options proposed in the consultation document.

It is accepted that consideration could be given to whether any temporary waste management facilities should be made permanent. However consideration will also need to be given as to why the waste facility was given temporary consent in the first place and again a raft of other planning considerations need to be considered as, when all matters are taken into consideration, a new site might be more preferential than an existing temporary site. A number of the temporary waste facilities in West Berkshire were only granted on the basis that there was a direct relationship to the particular site in question (normally a landfill site that was only in that location due to the presence of mineral reserves). Therefore temporary consent was considered appropriate for the life of the site in question which makes such sites, technically speaking, Greenfield locations. It is possible that such temporary sites might be appropriate for permanent uses, but this will have to be assessed on a case by case basis as there should be no presumption in favour of temporary sites (granted in the basis of specific circumstances which then change) becoming permanent facilities.

It is acknowledged that the existing land use and surrounding land uses are some of the multitude of factors that need to be considered when locating waste management facilities. The NPPW confirms that, when planning strategically for new waste sites, planning authorities should: "give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages." Placing an emphasis on the use of such sites for waste uses, irrespective of their location, this may not align to a specific locational strategy. The "locational criteria" identified in the NPPW places an emphasis on consideration of matters such as water resources, land stability, visual intrusion, nature conservation, the historic environment, traffic and access, air emissions (including dust), odours vermin and birds, noise and vibration, litter and conflicts with other land uses. It is clear that there are a myriad of factors that are critical to the locational strategy for waste sites and it is considered that a "one size fits all" approach is not necessarily suitable.

Summary

It is apparent from the responses to this issue that, generally speaking, the respondents agree that there is no one strategy that the WBMWLP should develop in respect of the location and distribution of waste sites. The Authority agrees with this. Respondents also suggest that the factors to be considered in the determination of the location of waste facilities are varied. The Authority agrees that there is a myriad of factors that need to be taken into account when planning strategically for new waste management facilties and there is not a single strategy that will be applicable in all cases.

Waste Issue 18: Safeguarding of existing, and proposed, waste sites

Option 18.1: Do you agree that the WBMWLP should aim to safeguard existing, permitted permanent waste sites from alternative uses?

The majority of respondents who commented on this option supported this potential policy approach; however other respondents suggested that this was unnecessary. Those consultees who responded supporting this approach referred to the risk of waste management capacity being lost if waste sites are not safeguarded and that a safeguarding policy would be critical to the overall delivery of the WBMWLP.

It was suggested by some respondents that any potential safeguarding policy approach must be balanced against the need for alternative uses and potential for relocation.

National policy is supportive of safeguarding existing recycled aggregate producing facilities which are a type of waste management site. Specifically, NPPF paragraph 143 states inter alia, that "in preparing Local Plans, local planning authorities should safeguard existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material". This is relevant in that CDE waste is the raw material for producing recycled aggregate, and therefore National policy would support the safeguarding of recycled aggregate producing facilities.

The NPPW (2014) also supports the premise of safeguarding, specifically paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that, inter alia, "the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities".

Although the majority of comments were in support of this potential policy option some consultees questioned whether this approach was necessary. The idea of safeguarding existing waste sites from other forms of development is to maintain the valuable waste management capacity. The Authority notes that in the case of permitted waste sits the uses of these sites for these purposes are established and the resultant impacts are, generally, confined to these areas. The necessary infrastructure and area of land required for these facilities, as well as nature of the development potentially conflicting with other types of development (particularly residential) mean that it could potentially be difficult to identify suitable sites for new facilities of this type. Therefore, potentially, without safeguarding, and other types of development were to take the place of these facilities, then there is a high chance that they would be permanently lost from the locality, and so too would the capacity.

Some consultees did not support this approach indicating that in the future these safeguarded sites may not be the most suitable location for such a facility. This potentially inferred that: a hypothetical waste management site may be more suitable for another type of (non-waste) development in future; and another site may be a better location than the safeguarded site for the waste management facility in the future.

With regard to the former, the safeguarding policy could potentially include wording such that having regard to all relevant planning considerations, if there was an overriding case in favour of allowing a proposed non-safeguarded development to proceed, then it could proceed. Alternatively as with any planning application, the decision must be taken in accordance with the development plan unless there are material considerations that indicate

otherwise. There will be numerous policies within the development plan, potentially only one of them relating to the safeguarding of existing, permitted, permanent waste sites, and in certain circumstances one policy may be due more weight than others. Also in certain instances a material consideration could potentially override the safeguarding policy.

In terms of the latter, if an application came forward for a waste management facility on a site that was not safeguarded, then having regard to all relevant planning considerations, if there was an overriding case in favour of allowing the development to proceed, then it would likely proceed.

Option 18.2: Do you agree that the WBMWLP should safeguard any proposed Preferred Areas for waste management identified in the final adopted plan from redevelopment to alternative uses?

This potential policy approach suggested in the issues and options consultation received almost universal support. However, a limited number of respondents referred to changes in circumstances over the plan period may take place suggesting that this approach is unsuitable. Some respondents referred to the need to question whether there may be a need to treat different site allocations differently.

National policy is supportive of safeguarding planned recycled aggregate producing facilities which are a type of waste site. NPPF paragraph 143 states inter alia, that in preparing Local Plans, "local planning authorities should safeguard existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material". This is relevant in that CDE waste is the raw material for producing recycled aggregate, and therefore National policy would support the safeguarding of recycled aggregate producing facilities and suitable preferred areas.

NPPW (2014) paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that, inter alia, "the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities". This suggests a need to ensure that, non waste development, does not undermine a waste plan, and safeguarding of existing waste sites is one mechanism that could be used to help ensure this.

Although the majority of comments were in support of this potential option some consultees questioned whether this approach was necessary. The principle behind the option of safeguarding the preferred areas from other forms of development is that the preferred areas will have been allocated to provide certainly that waste development should come forward and provide waste management capacity for the plan period at the identified sites. The preferred areas will have been assessed as generally suitable for these uses coming forward in terms of likely impacts. The necessary infrastructure and area of land required for these facilities, as well as nature of the development potentially conflicting with other types of development (particularly residential) mean that it could potentially be difficult to identify other suitable sites for these facilities should the preferred areas be lost. Therefore, without safeguarding, other types of development could potentially take place on the preferred areas, and then there is a chance that this capacity would not come forward in the locality during the plan period.

Comments were received indicating that circumstances may change over the plan period. This is not disputed, however any potential safeguarding policy could include wording such that having regard to all relevant planning considerations, if there was an overriding case in

favour of allowing a proposed non-safeguarded development to proceed, then it could proceed. Alternatively as with any planning application, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. There will be numerous policies within the development plan, potentially only one of them relating to the safeguarding of waste management preferred areas, and in certain circumstances one policy may be due more weight than others. Also in certain instances a material consideration could potentially override the safeguarding policy.

Without safeguarding the identified preferred areas in the final plan (assuming that preferred areas for waste management are allocated in the final document) then it is possible that this could raise a significant question mark over the delivery of the strategy, and any sites needed to deliver that strategy. However this may depend on the level of existing waste management capacity and the predicted level of demand over the plan period.

Option 18.3: Do you agree that the WBMWLP should identify and safeguard existing industrial areas that could provide additional waste management capacity within the existing, permitted industrial areas?

This potential approach was relatively well supported by those respondents who commented on this option. Some respondents referred to such an approach being unsuitable and potentially precluding industrial development from taking place.

Other respondents suggested that there would need to be a specific need for safeguarding to be identified to justify such an approach being pursued.

Nationally there is considered to be a policy approach that would support the safeguarding of existing waste management facilities and preferred areas for waste management.

NPPF paragraph 143 states inter alia, that in preparing Local Plans, “local planning authorities should safeguard existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material” This is relevant in that CDE waste is the raw material for producing recycled aggregate, and therefore National policy would support the safeguarding of recycled aggregate producing facilities and suitable preferred areas, however it is acknowledged that recycled aggregate production may not be aligned to existing uses on industrial sites, such that this could generate a land use conflict.

NPPW (2014) paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that, inter alia, the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.

It may be however, that safeguarding sites / units / industrial areas for potential waste management facilities (which have not come forward as ‘preferred areas’ within the plan), which could otherwise be used for other viable industrial uses could be unnecessary and this could potentially make it more difficult for non waste businesses to find sites to operate from if available capacity is safeguarded for waste uses.

The Authority acknowledges that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. It is considered that making it more difficult for viable (non waste) businesses to find sites to operate from when the sites have not come forward as preferred areas for waste management, and there is no guarantee that waste proposals will

come forward, may conflict with this golden thread of plan-making and decision-making. It is recognised that, whilst it may be appropriate, in some cases, for waste some uses to be located within industrial areas, this will not always be the case

It is considered that a more suitable approach may be to include a policy framework for considering speculative waste proposals whereby existing industrial areas, that may be suitable locations for certain types of waste management facilities, are more favourable than other types of location. It is considered that this approach would be aligned to the locational criteria in the NPPW..

Option 18.4: Are there any particular types of waste management facility that you consider should have a greater level of protection / safeguarding than others?

Most respondents suggested that there should be no "hierarchy" of protection (if such a safeguarding approach were to be pursued). Other respondents referred to the option of safeguarding sites that are identified as being critical to the success of the overall planning strategy. Some respondents referred to the following facilities that should be given preference: household waste, metal recycling, CDE.

NPPW (2014) paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that, inter alia, the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities. This suggests a need to ensure that, non waste development, does not undermine a waste plan, and safeguarding of existing waste sites is one mechanism that could be used to help ensure this.

Nationally there is considered to be a policy approach that would support the safeguarding of existing waste management facilities and preferred areas for waste management.

NPPF paragraph 143 states inter alia, that in preparing Local Plans, "local planning authorities should safeguard existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material" This is relevant in that CDE waste is the raw material for producing recycled aggregate, and therefore National policy would support the safeguarding of recycled aggregate producing facilities and suitable preferred areas.

NPPW (2014) paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that, inter alia, the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.

In terms of safeguarding existing waste management facilities it is agreed by the Authority that any existing waste management facilities that are deemed fundamental to the delivery of the overarching waste planning strategy then these could be safeguarded in the emerging plan, as it is recognised that if these sites are "lost" to other forms of development then this could significantly undermine the plan.

It is appreciated that the emerging plan cannot prevent waste sites from ceasing to operate or prevent future non waste development on existing sites or preferred areas, however by including such a safeguarding policy there would be a presumption against such

eventualities meaning that there would have to be significant justification for departing from the strategy.

Summary

It is apparent from the responses to this issue that the respondents on this option were generally supportive of including a policy approach that ensures the appropriate safeguarding of waste management sites. The responses suggest that existing, permanent waste sites and identified preferred areas should be safeguarded. Although there was not a consensus view on the potential to safeguard industrial areas that could provide additional waste management capacity it is acknowledged that it might be preferable to include a policy framework for considering speculative waste proposals whereby existing industrial areas, that may be suitable locations for certain types of waste management facilities, are more favourable than other types of location. This approach would be aligned to the locational criteria in the NPPW.

Without safeguarding the identified preferred areas in the final plan (assuming that preferred areas for waste management are allocated in the final document) then it is possible that this could raise a question mark over the delivery of the strategy, and any sites needed to deliver that strategy.

Equally it could be argued than any existing waste management facilities that are deemed fundamental to the delivery of the overarching waste planning strategy should also be safeguarded, as if these sites are “lost” to other forms of development then this could undermine the plan.

It is appreciated that the emerging plan cannot prevent waste sites from ceasing to operate or prevent future non waste development on existing sites or preferred areas, however by including such a safeguarding policy there would be a presumption against such eventualities meaning that there would have to be significant justification for departing from the strategy.

Waste Issue 19: New waste management technologies

Option 19.1: Should the WBMWLP include general policies for site allocations and the control of development that allow a range of technologies to come forward in a given location?

This option was well supported by the respondents. Reference was made to the need to ensure that, whatever strategy that is progressed in the final plan, the document needs to remains both flexible and deliverable into the future. Reference was also made by some respondents to the need to ensure that each allocation should be considered on its merits and that the particular circumstances of the allocation may rule out certain technologies / options.

The Authority considers that national policy is generally supportive of this potential approach. The NPPW paragraph 4 states inter alia, that "waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations. In preparing their plans, waste planning authorities should identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation".

In terms of a 'technology neutral' approach, national policy is generally supportive of this potential policy approach. PPG (ref ID: 28-019-20141016) confirms that Local plans should not generally prescribe the waste management techniques or technologies that will be used to deal with specific waste streams in the area. Rather, the Plan should identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area. The Government tries not to direct towards one waste technology above any others, when there may be a number of technologies, both existing and developing, that might deliver the same favourable outcome.

Circumstances when it may be more appropriate to prescribe a specific technology include:

- for those sites that are allocated for facilities larger than just local facilities
- for any facilities to deal with municipal waste where a clear service development strategy is required
- when the site is suitable for only one particular type of waste management facility.

It is agreed that a "technology natural" approach to the allocation of preferred areas is a potential policy approach that could be adopted by the emerging plan, however further work is required on the existing demand for additional waste management facilities and, where appropriate, type of facilities.

Option 19.2: Should the WBMWLP include policies for site allocations and the control of development that specify where particular technologies or types of facility would be acceptable?

This potential approach was well supported by a number of consultees who responded on this issue. However, concern was also raised over potential new developments in waste technologies that may need to be considered in the future, so an element of flexibility would be required. Some respondents did not support this approach, suggesting that the planning application process should address such matters and that such a potential approach would be inflexible.

The Authority acknowledges that some consultees did not support this approach citing a lack of flexibility as the main reason. National policy indicates that the broad types of facility

should be identified rather than specific technologies. Specifically, NPPW paragraph 4 states inter alia, that waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations. In preparing their plans, waste planning authorities should identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation.

PPG (ref ID: 28-019-20141016) goes further expressly stating that "Local plans should not generally prescribe the waste management techniques or technologies that will be used to deal with specific waste streams in the area. Rather, the Plan should identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area. The Government tries not to direct towards one waste technology above any others, when there may be a number of technologies, both existing and developing, that might deliver the same favourable outcome".

Circumstances when it may be more appropriate to prescribe a specific technology include:

- for those sites that are allocated for facilities larger than just local facilities
- for any facilities to deal with municipal waste where a clear service development strategy is required
- when the site is suitable for only one particular type of waste management facility.

It is agreed that a "technology natural" approach to the allocation of preferred areas is a potential policy approach and a "technology specific" approach should not be pursued (unless there a specific overriding reasons for doing so. It may also be prudent, when allocating sites (if the plan adopts such an approach) to include sites specific criteria that must be met, for example identifying acceptable/unacceptable access arrangements or possibly restricting heights of buildings, where there is a clear and justifiable planning reason for doing so (such as in a sensitive landscape area in the example of heights). In addition it is agreed that further work is required on the existing demand for additional waste management facilities and, where appropriate, type of facilities.

Option 19.3: Should the WBMWLP include policies to support the development of the waste re/processing or recyclate industry?

This potential approach was well supported by the respondents. However, some respondents suggested that whilst support should be given to these industries it is potentially unrelated to the issues covered by the WBMWLP.

It is considered by the Authority that the development of facilities for the repair and re-use of waste materials, and also recyclate industries that prepare collected waste for re-use or utilise the processed waste for the manufacture of new products, whilst being at the upper end of the waste hierarchy is likely to go beyond the scope of the emerging MWLP.

This is due to these types of development not being waste development as such, as they are generally users of waste removed from the waste streams and such facilities are usually general industrial users who use raw materials removed from waste streams as raw materials. There are a wide variety of manufacturing facilities in the authority, not to mention construction operations that utilise an element of recycled materials that would not readily be classed as "waste development".

There are also existing sites that sort / process recyclates, including paper and plastics (material that has been extracted from a waste stream and is being sorted/ processed before re-use).

However it is considered that further work is required to be undertaken for clarity on this matter as such facilities provide a key part of the overall waste management system and without such facilities / industries, there is minimal value to be gained in sorting / separating such wastes from existing waste streams.

Option 19.4: Do you think there is another strategy, relating to emerging waste technologies, that the WBMWLP could develop? If so please explain what you think it should be.

Respondents made reference to the need to ensure that the best available techniques and processes are used in the management of waste. Reference was also made to the importance of maintaining flexibility in whatever approach is chosen. Once again respondents made reference to the importance of ensuring that planning considerations and sensitive designations are included in the development of the strategy that is pursued.

Consultees made reference to the need to maintain flexibility in the approach adopted; this is agreed by the Authority. National policy is supportive of this in terms of advocating a 'technology neutral' approach. NPPW (2014) paragraph 4 states inter alia, that waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations. In preparing their plans, waste planning authorities should identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation.

PPG (ref ID: 28-019-20141016) confirms that Local plans should not generally prescribe the waste management techniques or technologies that will be used to deal with specific waste streams in the area. Rather, the Plan should identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area. The Government tries not to direct towards one waste technology above any others, when there may be a number of technologies, both existing and developing, that might deliver the same favourable outcome.

Circumstances when it may be more appropriate to prescribe a specific technology include:

- for those sites that are allocated for facilities larger than just local facilities
- for any facilities to deal with municipal waste where a clear service development strategy is required
- when the site is suitable for only one particular type of waste management facility.

Respondents did not indicate any different approach to this matter than those already considered and instead re-iterated views previously expressed.

Summary

The responses that were made by respondents on this option suggest that there is support for the inclusion of policies that would facilitate the delivery of a range of waste management technologies. An approach whereby the plan stipulates the specific technologies or facility types to be accommodated on identified sites for waste management was not as well supported.

The Authority agrees that a "technology natural" approach to the allocation of preferred areas is a potential policy approach that should be adopted and that a "technology specific" approach should not be pursued (unless there a specific overriding reasons for doing so). It is considered that is may also be prudent, when allocating sites (if the plan adopts such an approach) to include sites specific criteria that must be met, for example identifying

acceptable/unacceptable access arrangements or possibly restricting heights of buildings, where there is a clear and justifiable planning reason for doing so (such as in a sensitive landscape area in the example of heights).

There was also a level of support for the inclusion of policies that would support the recyclate industry (although the Authority agrees with those respondents who suggested that this might be outside the scope of the WBMWLP). Further work in respect of this matter may be required.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that there was minimal distinguishing difference between the various options considered. These sustainability factors will be considered further in the development of the emerging plan.

Waste Issue 20: Facilities in the AONB

Option 20.1: Should small scale waste management facilities, that meet an identified local need, be allowed in the AONB?

The majority of respondents who commented on the consultation opposed an outright prohibition of waste sites within the AONB and supported the potential for small scale sensitive waste management development in the AONB, provided the sites were well screened and amenity impacts appropriately controlled. Reference was also made to the extent of the AONB in the authority meaning such an approach needed to be pursued as any alternative approach would be too restrictive.

Specific reference was made to the potential to allow inert landfill at former mineral workings, where the infilling can create a positive contribution to the special qualities of the AONB. Some respondents suggested that such a potential policy approach was unnecessary, indicating that the existing transportation links in the authority were adequate to overcome any need for waste facilities to be located within the AONB.

Some consultees raised concern that small scale developments often develop into large scale operations. Reference was made to the importance of defining what is meant by "local" and "local scale" if such an approach were to be pursued. The importance of considering all planning constraints and designations was also referred to by numerous respondents, who made the point that the AONB was not the only sensitive designation in the plan area that needed to be considered.

The Authority recognises that paragraph 116 of the NPPF confirms that major development in the AONB should be refused except when exceptional circumstances have been demonstrated. Unfortunately the definition of "major development" is not clarified within the NPPF. The PPG Paragraph 005 Reference ID: 8-005-20140306 confirms that "Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context", confirming that the determination over whether a proposal is "major development" is a matter to be determined in each individual case. The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas when determining development proposals irrespective of whether the policy in paragraph 116 is applicable."

This stance, set out in the NPPF, and clarified through the PPG, suggests that, in principle, small scale waste management facilities (i.e. not major development) that meets an identified local need might be considered acceptable.

It is also acknowledged by the Authority that there are particular waste streams, such as agricultural or equine waste, that might be more appropriately managed within a rural environment. In addition there may be waste facility types, such as open windrow composting of green park and garden waste, which also might be more appropriately located in rural areas. As a large part of the rural environment found within West Berkshire is designated as AONB (which is a designation that covers approximately 75% of the authority) it is therefore possible that there may be circumstances where appropriately scaled waste facilities of certain types may be considered acceptable.

The National Planning Policy for Waste (October 2014) confirms that, when planning strategically for new waste sites, planning authorities should: "give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages." Placing an emphasis on the use of such sites for waste uses, irrespective of their

location, although the need to protect landscapes of national importance (such as the AONB) is also recognised as an important consideration in the location of waste facilities in the NPPW.

It is acknowledged by the Authority that the impact of any proposed / planned development on the AONB is the critical issue when considering impacts on this nationally recognised important landscape, and not necessarily the location of development either within, or indeed outside the AONB. It is also acknowledged that all relevant planning constraints need to be fully considered in developing the preferred approach for emerging policies that guide the location of waste management facilities in the WBMWLP.

It is apparent that the plan will need to ensure that appropriate consideration is given to clarifying terms such as “local”, “small scale” “large scale”, “major” “minor” and “strategic” in the development of a policy approach relating to these matters.

It is acknowledged that if mineral extraction is permitted in the AONB, then it is possible that the restoration of the workings, using waste as an infill material, may provide for the delivery of an enhancement to the site resulting in a net benefit to the AONB. In such circumstances the infilling of a mineral void with waste material may be considered as an “exceptional circumstance” where waste management development is considered acceptable. Clearly such matters would have to be considered on a case by case basis, this is discussed further below under option 20.3.

Option 20.2: Should large scale, strategic waste management facilities be allowed in the AONB?

This potential approach was not well supported with most respondents suggesting that such a potential approach would be inappropriate and referred to the “exceptional circumstances” approach endorsed in the NPPF.

Some respondents did suggest that, subject to suitable controls and landscape / visual implications, such facilities could be acceptable. Other respondents referred to the need to avoid transporting waste large distances and such a potential policy approach could result in placing a burden on areas outside the AONB. Specific reference was made to the potential to allow inert landfill at former mineral workings, where the infilling can create a positive contribution to the special qualities of the AONB and the encouragement of co-locating waste sites in PPS10 was cited (PPS10, which was in force at the time of the consultation has now been revoked and replaced by the NPPW, which maintains the general encouragement of co-locating waste sites).

Reference was also made to “large scale” and “strategic” not necessarily being the same and the importance of defining such terms if such a potential policy approach is pursued within the emerging plan. Once again the importance of considering all planning constraints and designations was also referred to by respondents, highlighting the importance of other designations in addition to the AONB.

The Authority notes that paragraph 116 of the NPPF confirms that major development in the AONB should be refused except for when exceptional circumstances are demonstrated. Unfortunately the definition of “major development” is not clarified within the NPPF. The PPG Paragraph 005 Reference ID: 8-005-20140306 confirms that “Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context”, confirming that the determination over whether a proposal is “major development” is a matter to be determined in each individual case. The Framework is clear that great weight should be

given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable"

This stance, set out in the NPPF and clarified through the PPG, suggests that, strategic waste management facilities, which by their very definition are likely to be major development (although such matters would need to be considered on a case by case basis), would not, in principle, be considered appropriate within this nationally important designation.

Therefore if the WBMWLP were to adopt a policy approach whereby strategic waste facilities were identified in the plan, or considered acceptable in principle within the AONB, it is considered that it would be necessary for the WBMWLP to identify such exceptional circumstances demonstrating the reasoning behind the need to progress with a strategy that actively promotes this approach. Such considerations of exceptional circumstances would include considerations of whether there is scope to meet the level of need from sites outside the AONB (which may include locations outside the authority boundary) or meet the level of need in some other way.

It is accepted by the Authority that the impact of development on the AONB is the critical issue when considering impacts on this nationally recognised important landscape, and not necessarily the location of development either within, or outside the AONB. It is also acknowledged that all relevant planning constraints need to be fully considered in developing the preferred approach for emerging policies that guide the location of waste management facilities in the WBMWLP.

It is apparent that the plan will need to ensure that appropriate consideration is given to clarifying terms such as "local", "small scale" "large scale", "major" "minor" and "strategic" to ensure clarity within the plan, such definitions could be provided regardless of the policy approach that is pursued.

It is acknowledged that if mineral extraction is permitted in the AONB, then it is possible that the restoration of the workings, using waste as an infill material, may provide for the delivery of an enhancement to the site resulting in a net benefit to the AONB. In such circumstances the infilling of a mineral void with waste material may be considered as an "exceptional circumstance" where waste management development is considered acceptable. Clearly such matters would have to be considered on a case by case basis, this is discussed further below under option 20.3.

Option 20.3: Should all waste management operations, with the possible exception of inert landfilling (if necessary to facilitate the restoration of any mineral extraction permitted within the AONB, which may be dependent on the outcome of the mineral issues outlined above) be excluded from the AONB?

Some of the respondents who commented on this option again referred to the possibility of small scale and appropriately located facilities being acceptable and the need for flexibility in the location of waste facilities to be maintained. Some respondents suggested that inert infilling could be acceptable in the AONB, particularly when used to restore former mineral sites. Other respondents suggested that no waste development should be allowed in the AONB. Again the importance of considering all planning constraints and designations was also referred to by respondents.

Overall, and in the context of those consultees who responded on this issue, the level of support for this potential policy approach (the exclusion of waste management facilities in the AONB with the exception of inert landfilling of mineral sites) was slightly greater than the level of opposition.

The Authority recognises that minerals can only be worked where they are found. If mineral extraction sites are permitted within the AONB, either as identified preferred areas or via a consideration against planning policy (clearly this is dependent on the approach pursued by the WBMWLP) then it is possible that there may be a need to backfill the void created by the mineral extraction operations to ensure the satisfactory restoration of the site. In such sensitive areas the restoration of mineral sites is of critical importance and the use of waste materials to create an appropriate landform is clearly a very important factor that will need to be taken into consideration. It is also acknowledged that temporary waste facilities, which have a clear functional link to a mineral extraction site permitted in the AONB, might also be considered acceptable, for the duration of the mineral extraction (and associated restoration operations). However these are considered to be matters that could be deemed to be the types of "exceptional circumstances" referred to in the NPPF.

It is accepted by the Authority that the impact of development on the AONB is the critical issue when considering impacts on this nationally recognised important landscape, and not necessarily the location of development either within, or outside the AONB. It is also acknowledged that all relevant planning constraints need to be fully considered in developing the preferred approach for the final policies in the plan that will guide the location of waste management facilities in the emerging plan.

With respect to other waste management development it is considered that it would not be appropriate for the WBMWLP to outright preclude waste management facilities within the AONB. Whilst the NPPF, PPG and NPPW confirm that there are strong presumptions against development in the AONB (particularly with respect to major development) this does not preclude development entirely and there may be particular exceptional circumstances where appropriately designed and scaled development, that results in a positive impact upon the AONB, may be acceptable.

Option 20.4: Do you think there is another strategy that the WBMWLP could develop? If so, please explain what you think it should be.

Some respondents made reference to the possibility of "protecting the AONB at all costs" or "prioritisation of the protection of the AONB". Other respondents referred to strategies that place a great deal of weight on the various planning constraints and designated areas.

A number of respondents expressed a level of support for one of the strategies already suggested under this issue. Some respondents intimated that waste imported from other authority areas needs to be managed in West Berkshire, whilst there was no specific reference to this taking place in the AONB, it could be that a policy for importing waste could result in such wastes being managed in the AONB.

It is acknowledged by the Authority that waste crosses administrative boundaries and that the PPG states that (Reference ID: 12-002-20140306) "the Local Plan should aim to meet the objectively assessed development and infrastructure needs of the area, including unmet needs of neighbouring areas where this is consistent with policies in the National Planning Policy Framework as a whole."

As such this guidance suggests that effective cooperation between authorities needs to take place. Whilst it is considered that the Authority would not seek to prohibit the importation of waste into the authority area, those authorities who are potentially unable to meet their own need should have evidence documenting the assumed shortfall so that an informed discussion can take place.

Such evidence will need to be considered against the known constraints within the planning authority areas, such as highway capacities, environmental impacts and landscape designations (such as the AONB). Therefore, if the WBMWLP were to adopt an approach whereby waste management facilities, to serve the needs of neighbouring authorities, were to be allocated within the AONB, then robust evidence would need to be provided by such neighbouring authorities clearly detailing why such capacity could not be delivered within the neighbouring authority area. West Berkshire believes that such issues can be addressed through discussions as part of the Duty to Cooperate.

It is accepted by the Authority that the impact of development on the AONB is the critical issue when considering impacts on this nationally recognised important landscape, and not necessarily the location of development either within, or outside the AONB. It is also acknowledged that all relevant planning constraints need to be fully considered in developing the preferred approach for emerging policies that guide the location of waste management facilities in the WBMWLP.

Summary

The responses that were made on this option suggest that there should be a great deal of weight applied to the planning designations and constraints when devising a planning policy framework that relates to the delivery of waste management sites.

It is accepted by the Authority that the impact of development on the AONB is the critical issue when considering impacts on this nationally recognised important landscape, and not necessarily the location of development either within, or outside the AONB. It is also acknowledged that all relevant planning constraints need to be fully considered in developing the preferred approach for emerging policies that guide the location of waste management facilities in the WBMWLP.

With respect to waste management development it is considered that it would not be appropriate for the WBMWLP to outright preclude waste management facilities within the AONB. Whilst the NPPF, PPG and NPPW confirm that there are strong presumptions against development in the AONB (particularly with respect to major development) and such an approach is likely to be reflected in the emerging plan, this does not preclude development entirely and there may be particular exceptional circumstances where appropriately designed and scaled development, that results in a positive impact upon the AONB, may be acceptable.

Therefore it is considred that the emerging plan should, in principle, seek to ensure that waste development is located such that it does not have an adverse impact on the AONB, whilst acknowledging that there may be circumstances when waste management development might be acceptable in this designated area.

It is apparent that the plan will need to ensure that appropriate consideration is given to clarifying terms such as “local”, “small scale” “large scale”, “major” “minor” and “strategic” to ensure clarity within the plan, such definitions could be provided regardless of the policy approach that is pursued. Circumstances where certain waste facilities, such as those managing equine or agricultural waste should also be addressed in the policies.

Waste Issue 21: Equine waste

Option 21.1: Do you think that West Berkshire needs more waste management capacity to deal with equine waste?

Some of those parties who responded on this option referred to the lack of clarity or knowledge as to whether there is a need for the plan to address this waste stream. Other respondents referred to this waste stream as "commercial waste" and that if there is demand then facilities will be required. Other respondents referred to this waste stream as being akin to agricultural waste and it being managed in the same way. Few respondents were able to provide any evidence to support a view as to whether there is a need for greater capacity to manage this waste stream.

The Authority understands that the equine industry in the plan area is extensive, with the whole of the North Wessex Downs understood to be home to around 10% of Britain's racehorse trainers, with the Lambourn area identified as a nationally important centre of activity for the race horsing industry.

The NPPW, paragraph 3, states that "Waste planning authorities should prepare Local Plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste streams". Whilst the NPPW goes on to refer to particular waste streams, of which equine waste is not one, it is apparent that the adopted local plan should identify the needs for all waste streams. The PPG (Paragraph: 013 Reference ID: 28-013-20141016) confirms that waste planning authorities should plan for the sustainable management of waste, and provides a non exhaustive list of waste streams. Whilst this list again excludes equine waste reference is made to agricultural waste.

The LWA that supported the consultation considered that equine waste could make up as much as 9% of the total waste arisings in West Berkshire. However it is considered that much of this waste is managed through spreading on land and through agricultural practices.

On the basis if the information available at this stage WBC considers it unlikely that additional capacity will be required throughout the plan period for the management of equine waste. However it is considered that it would be prudent to include criteria based policies that would enable any planning applications to manage this waste stream, to be included so such proposals can be considered if they are forthcoming during the plan period.

Option 21.2: Do you agree that facilities to manage equine waste should be located near to the waste arisings, accepting that this may result in the provision of waste facilities in the AONB?

This potential approach was generally well supported; reference was made to the importance of ensuring that any facilities that may be required are suitably located. Lambourn was referred to as being a nationally important centre for racehorse training and that this industry is critical to the local economy. Reference was made to the existence of facilities that manage this waste stream; however concern was raised over the highways implications of this existing management. Some respondents suggested that this approach was not appropriate.

The Authority acknowledges that the national planning policy favours the 'proximity principle', and therefore could be interpreted as being supportive of locating equine waste management facilities in the AONB, if the facilities are near to the source of the arisings. Specifically, the NPPW (October 2014) confirms that positive planning plays a pivotal role in delivering this country's waste ambitions through, inter alia providing a framework in which

communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle.

Although this potential policy approach was generally well supported, some consultees felt that this approach was not appropriate, with potential negative impact on the AONB cited as a key consideration. The Authority notes that paragraph 115 of the NPPF dictates that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. Therefore in line with national policy, land within the AONB will be protected. The point should also be made that development (or a potential site allocation) proposed outside of the AONB, which may have a detrimental impact on the valued characteristics of the AONB, may be refused or not allocated on the same policy grounds i.e. the critical issue is the impact of a development / allocation on the protected characteristics of the AONB not the location within the designated area.

NPPF paragraph 116 confirms that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of: the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The LWA that supported the consultation considered that equine waste could make up as much as 9% of the total waste arisings in West Berkshire. However it is considered that much of this waste is managed through spreading on land and through agricultural practices.

On the basis if the information available at this stage WBC considers it unlikely that additional capacity will be required throughout the plan period for the management of equine waste. However it is considered that it would be prudent to include criteria based policies that would enable any planning applications to manage this waste stream, to be included so such proposals can be considered if they are forthcoming during the plan period, such a policy may consider the potential for this waste stream to be managed in the AONB at appropriately scaled and located facilities.

Option 21.3: Do you think that the management of equine waste is:
(i) a strategic matter, or should be considered independently or alongside agricultural waste.
or
(ii) should criteria based policies be used to consider any forthcoming applications?

Some respondents suggested that the management of equine waste was a strategic issue, whilst others suggested it was not strategic. Reference was made to the management of equine waste alongside agricultural waste, due to the similarities between these waste streams.

The Authority notes that the LWA that supported the consultation considered that equine waste could make up as much as 9% of the total waste arisings in West Berkshire. However it is considered that much of this waste is managed through spreading on land and through agricultural practices. It is considered that further work on this matter could be undertaken to enhance the understanding of the existing demands and capacities for this waste stream.

Given these circumstances, and on the basis of the information currently available, it is considered by the Authority that it is unlikely that equine waste is required to be dealt with as a strategic matter. In terms of allocating sites, there is unlikely to be a sufficient demand or unmet capacity for this to be a suitable approach. However this matter will be kept under review.

In terms of whether equine waste should be considered 'independently', or alongside 'agricultural waste', if it meets certain criteria prescribed by the Environment Agency, and is applied to land as a 'soil improver' then it is likely to fall outside of the planning system. If a bespoke site is developed for the specialist purpose of managing equine waste however, and the site is subject to the importation and exportation of the waste, then this may be considered as 'development' and should potentially be assessed 'independently' against the development plan and all relevant material considerations.

Although there is unlikely to be sufficient demand or unmet need for equine management sites to be allocated, planning applications could potentially come forward for this type of development during the plan period. Therefore, it is logical to have a criteria-based policy to assess these types of development proposal.

Summary

The level of response to this option was limited, with only a relatively small number of respondents commenting on the issues raised. The responses that were made on this option suggest that there is a level of support for the inclusion of a policy approach that considers relevant planning considerations and designations. Some respondents suggested that there was no need for further equine waste capacity and it was unclear from the responses whether equine waste was considered to be a strategically important matter or not.

The LWA that supported the consultation considered that equine waste could make up as much as 9% of the total waste arisings in West Berkshire. However it is considered that much of this waste is managed through spreading on land and through agricultural practices. In essence, at this stage, the evidence collated by the authority supports the consensus view of those parties who responded to the consultation.

On the basis if the information available at this stage the Authority considers it unlikely that additional capacity will be required throughout the plan period for the management of equine waste. However it is considered that it would be prudent to include criteria based policies that would enable any planning applications to manage this waste stream, to be included so such proposals can be considered if they are forthcoming during the plan period, such a policy may consider the potential for this waste stream to be managed in the AONB at appropriately scaled and located facilities.

Waste Issue 22: Waste water treatment

Option 22.1: Do you think that West Berkshire needs more waste management capacity to deal with sewage?

The majority of respondents who commented on this option expressed no firm view in respect of the need for additional capacity to manage this particular waste stream. Some respondents suggested that there would be an increased need for sewage treatment in the future due to projected housing and population growth. Other consultees referred to the recent flooding events providing a clear indication that additional capacity was required. Some respondents suggested that regardless of the "need" the WBMWLP needed to be able to provide a policy framework for the consideration of speculative applications that may be forthcoming over the life of the plan.

Respondents also referred to the essential need to provide for waste management capacity as well as the management of the sewage sludge by products and the importance that the emerging plan contains a policy covering the key issue of the provision of waste water/sewerage infrastructure to service new and existing development. Reference was made to the critical role the WBMWLP will have in ensuring there is sufficient waste water treatment capacity available over the life of the plan. The statutory undertaker (Thames Water) confirmed that further waste management capacity to deal with sewage/sewage sludge will be required over the life of the plan. Respondents referred to the need to protect sensitive areas, such as source protection zones, from the adverse impacts of waste water treatment.

The Authority recognises that the LWA (paragraphs 5.6.2 to 5.6.10) that supported the consultation summarised that sewage sludge is a natural by-product of the waste water treatment process. A consequence of sewage treatment is that significant quantities of sewage sludge are generated as a waste material that needs to be managed. Use of sewage sludge as a soil enhancer and fertiliser on agricultural land remains the environmentally favoured option, with around 80% of such material being applied to agricultural land in 2012. It is expected that the higher standards of treatment would continue to generate more sludge as a result of the Urban Waste Water Treatment Directive. Thames Water is the private water and wastewater services company within West Berkshire.

Importance for accounting for sewage sludge waste generation is detailed within the NPPF and PPG, as shown by (Reference ID: 34-001-20140306) of the PPG which states that "adequate water and wastewater infrastructure is needed to support sustainable development. A healthy water environment will also deliver multiple benefits, such as helping to enhance the natural environment generally and adapting to climate change." This is reinforced by (Reference ID: 34-007-20140306) of the PPG which states that "plan-making may need to consider: the sufficiency and capacity of wastewater infrastructure and the circumstances where wastewater from new development would not be expected to drain to a public sewer."

Planning officers and Thames Water met in April 2014 to discuss the existing sewage infrastructure and anticipated levels of additional capacity, which the utility company is planning for. Although Thames Water's projections varied to those used by West Berkshire within the Local Waste Assessment (pages 100 and 150), the differential balanced out as Thames Water accounted for the waste generated by industrial users, commercial users and the residents of West Berkshire (including forecasted growth). Although Thames Water did not account for the sewage collected from septic tanks (more prevalent in rural areas, which accounts for a significant proportion of the north western part of West Berkshire). It was also agreed that the worst case projections for sludge production from the LWA (of 25 kg per head of population per annum) would therefore provide a reasonable estimate of future

arisings of this waste stream. As such, figures which are produced by West Berkshire within the LWA were agreed by Thames Water to be an accurate estimate to be used as part of the WBMWLP.

Thames Water anticipate that, based upon these projections, at present rates of increase it is unlikely that new sewage treatment facilities are going to required to be built in West Berkshire over the projected plan period. As such, it was highly likely that the existing sites could accommodate the projected level of increase, subject to the addition of plant / infrastructure on the existing sites where necessary. It was confirmed by Thames Water that currently the majority of sewage sludge produced was disposed of onto land within a 30 mile radius of the sludge management centre (which for West Berkshire is Newbury).

Option 22.2: Do you agree that sewage facilities should be located near to the waste arisings, accepting that this may mean developing new waste facilities or expanding existing facilities in sensitive areas, such as the AONB?

This approach was generally well supported, however reference was made to the need to consider each case on its merits and ensure that any impacts of development, that may be required, is adequately considered and mitigated. Reference was made to the need to balance the minimisation of transportation and the need to protect sensitive receptors.

Although some of the responses received provided support for a strategy based upon locating increased waste management capacity for sewage sludge close to the waste arisings, concern was raised for the consideration of proposals impacts upon the location, design and landscaping of the development, alongside the highways impacts, especially if proposed within the AONB.

The Authority agrees that the WBMWLP should provide the policy framework to assess any applicable planning applications over the plan period; such a policy approach will include such matters which could impact local communities surrounding a proposal.

It is recognised that the PPG (Reference ID: 34-005-20140306) states that “plan-making may need to consider identifying suitable sites for new or enhanced infrastructure. In identifying sites it will be important to recognise that water and wastewater infrastructure sometimes has particular locational needs (and often consists of engineering works rather than new buildings) which mean otherwise protected areas may exceptionally have to be considered where consistent with their designation. Plan-making will also need to take into account existing and proposed development in the vicinity of a location under consideration for water and wastewater infrastructure”.

Planning officers and Thames Water met in April 2014 to discuss the existing sewage infrastructure and anticipated levels of additional capacity, which the utility company is planning for. Although Thames Water’s projections varied to those used by West Berkshire within the Local Waste Assessment (pages 100 and 150), the differential balanced out as Thames Water accounted for the waste generated by industrial users, commercial users and the residents of West Berkshire (including forecasted growth). Although Thames Water did not account for the sewage collected from septic tanks (more prevalent in rural areas, which accounts for a significant proportion of the north western part of West Berkshire). It was also agreed that the worst case projections for sludge production from the LWA (of 25 kg per head of population per annum) would therefore provide a reasonable estimate of future arisings of this waste stream. As such, figures which are produced by West Berkshire within the LWA were agreed by Thames Water to be an accurate estimate to be used as part of the WBMWLP.

Thames Water anticipate that, based upon these projections,, at present rates of increase it is unlikely that new sewage treatment facilities are going to required to be built in West Berkshire over the projected plan period. As such, it was highly likely that the existing sites could accommodate the projected level of increase, subject to the addition of plant / infrastructure on the existing sites where necessary. It was confirmed by Thames Water that currently the majority of sewage sludge produced was disposed of onto land within a 30 mile radius of the sludge management centre (which for West Berkshire is Newbury). As such, any proposals (not likely to be strategic in nature) would be the subject of the planning application process.

Option 22.3: Do you think that the management of sewage is:
(i) a strategic matter, or should
(ii) criteria based policies be used to consider any forthcoming applications?

Most of the respondents who commented on this option agreed that the management of sewage is a strategic matter, however the respondents suggested that the impacts of requisite infrastructure is more of a site specific consideration, than a strategic issue.

It is recognised that paragraph 162 of the NPPF states that "local planning authorities should work with other authorities and providers to assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and take account of the need for strategic infrastructure including nationally significant infrastructure within their areas." This is reinforced within the PPG (Reference ID: 34-008-20140306) which states "plan-making may need to consider water supply and water quality concerns often cross local authority boundaries and can be best considered on a catchment basis. Liaison between local planning authorities, the Environment Agency, catchment partnerships and water and sewerage companies from the outset (at the plan scoping and evidence gathering stages of plan-making) will help to identify water supply and quality issues, the need for new water and wastewater infrastructure to fully account for proposed growth and other relevant issues such as flood risk. The duty to co-operate across boundaries applies to water supply and quality issues." It is also acknowledged that the National Policy Statement for Waste Water provides relevant guidance in this case.

It is acknowledged that a number of consultees supported the approach whereby the management of sewage sludge would be considered strategically. Planning officers and Thames Water met in April 2014 to discuss the existing sewage infrastructure and anticipated levels of additional capacity which the utility company is planning for. Although Thames Water's projections varied to those used by West Berkshire within the Local Waste Assessment (pages 100 and 150), the differential balanced out as Thames Water accounted for the waste generated by industrial users, commercial users and the residents of West Berkshire (including forecasted growth). Although Thames Water did not account for the sewage collected from septic tanks (more prevalent in rural areas, which accounts for a significant proportion of the north western part of West Berkshire). It was also agreed that the worst case projections for sludge production from the LWA (of 25 kg per head of population per annum) should therefore provide a reasonable estimate of future arisings. As such, figures which are produced by West Berkshire within this region in the LWA were agreed by Thames Water to be an accurate estimate to be used as part of the WBMWLP.

Thames Water confirmed that they had a preference for the inclusion of criteria based policies relating to the sewage waste stream, which would allow applications to be considered against the relevant criteria. Thames Water anticipate that based upon these projections that no new sewage treatment facilities will be required to be built in West Berkshire over the projected plan period. As such, it was highly likely that the existing sites

could accommodate the projected level of increase, subject to the addition of plant / infrastructure on the existing sites where necessary. As such, the Authority do not believe that Thames Water (as the relevant utility provider) for West Berkshire would support a strategic approach in the WBMWLP being taken.

Summary

The responses that were made on this option suggest that there is a level of support for the inclusion of a policy approach that would facilitate the provision of capacity close to the source of arisings. This waste stream is seen as a strategically important matter by respondents.

Planning officers and Thames Water, the sole statutory sewerage undertaker in the Plan area, met in April 2014 to discuss the existing sewage infrastructure and anticipated levels of additional capacity which the utility company is planning for. Although Thames Water's projections varied to those used by West Berkshire within the Local Waste Assessment (pages 100 and 150), the differential balanced out as Thames Water accounted for the waste generated by industrial users, commercial users and the residents of West Berkshire (including forecasted growth). Although Thames Water did not account for the sewage collected from septic tanks (more prevalent in rural areas, which accounts for a significant proportion of the north western part of West Berkshire). It was also agreed that the worst case projections for sludge production from the LWA (of 25 kg per head of population per annum) should therefore provide a reasonable estimate of future arisings. As such, figures which are produced by West Berkshire within this region in the LWA were agreed by Thames Water to be an accurate estimate to be used as part of the WBMWLP.

Thames Water anticipate that based upon these projections that, at present rates of increase it is unlikely that new sewage treatment facilities will be required to be built in West Berkshire over the projected plan period. As such, it was highly likely that the existing sites could accommodate the projected level of increase, subject to the addition of plant / infrastructure on the existing sites where necessary. As such, the Authority does not believe that Thames Water (as the relevant utility provider) for West Berkshire would support a strategic approach (site allocation) in the WBMWLP being taken.

Thames Water confirmed that they had a preference for the inclusion of criteria based policies relating to the sewage waste stream, which would allow applications to be considered against the relevant criteria.

The Authority acknowledges that there is a clear need to ensure that planning considerations and designations are factored into any strategy that may be pursued by the WBMWLP. Therefore it is considered that it would be prudent to include criteria based policies that would enable any planning applications to manage this waste stream, to be included so such proposals can be considered if they are forthcoming during the plan period.

When the various options detailed in this issue were considered against the sustainability objectives that were identified in the SA/SEA Interim Environmental Report it was considered that there was only a limited difference between the potential approaches. Such sustainability factors will be considered further in the development of the emerging plan as part of the development of the full SA/SEA.

Waste Issue 23: Radioactive Waste arisings

Option 23.1: Should the WBMWLP plan for the management (treatment / storage / packaging) of VLLW arising within West Berkshire to be managed in West Berkshire?

This potential approach received support from some of the consultees who responded on the consultation, with reference made to the need to ensure that the emerging plan makes provision for the ability to treat, store, and package such wastes that arise within West Berkshire prior to final disposal.

Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy that relates to this issue.

The Authority notes that many hospitals and industrial, educational and research establishments produce small quantities of radioactive wastes. Within West Berkshire it is understood that the main producer of radioactive wastes is the Atomic Weapons Establishment (AWE) who manage the Aldermaston and Burghfield sites. It should be noted that AWE Aldermaston has permission to treat, store and package radioactive waste which is generated on site or at their Burghfield site (AWE generally treat these as one site and so any waste figures account for both sites). These AWE facilities manage the whole life cycle of the United Kingdom's nuclear deterrent and have the potential to generate arisings of very low level, low level and intermediate level radioactive waste.

At present there are understood to be three landfill sites in the UK that can potentially accept low activity level waste from anywhere in the United Kingdom these are The East Northants Resource Management Facility (ENRMF at King's Cliffe), Clifton Marsh and Lillyhall. There are currently only a limited number of options for managing Intermediate level waste, with the UK strategy relying on a number of waste re-processors / waste treatment facilities. In terms of disposal the UK is reliant upon the delivery of the Geological Disposal Facility (GDF) the site for which remains undecided.

The type of waste managed on sites within West Berkshire will determine whether there is a need for such wastes to be stored prior to disposal (i.e. to allow for radioactivity decay or for wastes to be stored on site until there is availability of the waste at the proposed GDF) and the 'life cycle'/waste hierarchy for radioactive waste (which differs to that stated for other waste types) due to the specialist nature of the waste composition. This hierarchy is as follows: non-creation of waste where practicable; minimisation where creation is unavoidable; re-use and recycling; and ultimately, disposal.

In terms of low level radioactive waste disposal AWE has confirmed that the majority is disposed under their Radioactive Substances Environmental Permit and takes place through a contract that Ministry of Defence holds with a number of companies that manage such wastes. These contracts allows access to a framework of service providers in the United Kingdom and internationally.

It is recognised that current legislation generally requires waste management processes/sites to be sustainable development and to protect human health and the environment. In reality, treatment/ storage/ processing on site can minimise the volumes of radioactive waste and in some cases, remove the necessity for such wastes to be disposed of as a radioactive waste. While further work is necessary for West Berkshire to endeavor to "ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area", in line with the NPPF (paragraph. 158) it is prudent that existing planning permissions and waste movements are recognised within this work.

It is also recognised that as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan) officers are already in discussions over strategic Minerals and Waste matters with neighbouring authorities, for which radioactive wastes would be classified as strategic, in line with the PPG (Ref ID: 9-021-20140410), paragraph 155 and 178 of the NPPF.

In terms of this option, it is clear that very low level activity radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts. However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings.

Option 23.2: Should the WBMWLP plan for the management (treatment / storage / packaging) of LLW arising within West Berkshire to be managed in West Berkshire?

This potential approach received a level of support, but a greater level of opposition. Some respondents suggested that treatment and packaging of waste might be appropriate but storage was not. Other respondents suggested that the plan should make provision for the ability to treat, store, and package such wastes prior to final disposal. Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

The Authority acknowledges that many hospitals and industrial, educational and research establishments produce small quantities of radioactive wastes. Within West Berkshire it is understood that the main producer of radioactive wastes is the Atomic Weapons Establishment (AWE) who manage the Aldermaston and Burghfield sites. It should be noted that AWE Aldermaston has existing permission to treat, store and package radioactive waste which is generated on site, or at their Burghfield site (AWE generally treat these as one site and so any waste figures account for both sites). These AWE facilities manage the whole life cycle of the United Kingdom's nuclear deterrent and have the potential to generate arisings of very low level, low level and intermediate level radioactive waste.

At present there are understood to be three landfill sites in the UK that can potentially accept low activity level waste from anywhere in the United Kingdom these are The East Northants Resource Management Facility (ENRMF at King's Cliffe), Clifton Marsh and Lillyhall. There are currently only a limited number of options for managing Intermediate level waste, with the UK strategy relying on a number of waste re-processors / waste treatment facilities. In terms of disposal the UK is reliant upon the delivery of the Geological Disposal Facility (GDF) the site for which remains undecided.

The type of waste managed on site within West Berkshire will determine whether there is a need for such wastes to be stored prior to disposal (i.e. to allow for radioactivity decay or for wastes to be stored on site until there is availability of the waste at the proposed GDF) and the 'life cycle'/waste hierarchy for radioactive waste (which differs to that stated for other waste types) due to the specialist nature of the waste composition. This hierarchy is as follows: non-creation of waste where practicable; minimisation where creation is unavoidable; re-use and recycling; and ultimately, disposal.

In terms of low level radioactive waste disposal AWE has confirmed that the majority is disposed under their Radioactive Substances Environmental Permit and takes place through a contract that Ministry of Defence holds with a number of companies that manage such wastes. These contracts allows access to a framework of service providers in the United Kingdom and internationally.

It is recognised that current legislation generally requires waste management processes/sites to be sustainable development and to protect human health and the environment. In reality, treatment/ storage/ processing on site can minimise the volumes of radioactive waste and in some cases, remove the necessity for such wastes to be disposed of as a radioactive waste. While further work is necessary for West Berkshire to endeavour to "ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area", in line with the NPPF (paragraph. 158) it is prudent that existing planning permissions and waste movements are recognised within this work.

It is also recognised that as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan) officers are already in discussions over strategic Minerals and Waste matters with neighbouring authorities, for which radioactive wastes would be classified as strategic, in line with the PPG (Ref ID: 9-021-20140410), paragraph 155 and 178 of the NPPF.

In terms of this option, it is clear that low level activity radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts. However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings.

Option 23.3: Should the WBMWLP plan for the management (treatment / storage / packaging) of ILW arising within West Berkshire to be managed in West Berkshire?

This potential approach received a level of support, as well as some opposition. Some respondents suggested that the existing infrastructure in the authority is of national significance and should be supported. Respondents suggested that the plan should make provision for the ability to treat, store, and package such wastes prior to final disposal. Reference was made to there being limited disposal routes for ILW until the geological disposal facility is available and therefore the emerging plan should recognise the particular need to store ILW until the geological disposal facility is available.

Other respondents suggested that the storage of ILW was not appropriate. Again respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

It should be noted that AWE Aldermaston has existing permission to treat, store and package radioactive waste which is generated on site, or at their Burghfield site (AWE generally treat these as one site and so any waste figures account for both sites). These AWE facilities manage the whole life cycle of the United Kingdom's nuclear deterrent and have the potential to generate arisings of low level and intermediate level radioactive waste.

There are many guidance documents and policies which define the methods for managing radioactive wastes; these are produced by DEFRA, Nuclear Decommissioning Authority, Environment Agency and National/European government. It is recognised that current legislation generally requires waste management processes/sites to be sustainable development and to protect human health and the environment. While further work is necessary for West Berkshire to endeavor to "ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area", in line with the NPPF (paragraph. 158) for this to be effective it is prudent that existing planning permissions and waste movements are recognised within this work.

In terms of this option, it is clear that intermediate level activity radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts, although some is currently sorted and stored onsite and is awaiting the provision of the national geological disposal facility. However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings.

Option 23.4: Should the WBMWLP plan for a strategic VLLW facility (treatment / storage / packaging), accepting that this would mean that VLLW could be imported into West Berkshire for management?

This approach was not well supported, but not universally opposed. Some respondents made reference to the general disposal routes for VLLW being already well established so there is little need for a strategic level facility to be located in West Berkshire.

Some respondents suggested that a strategy / position statement was required and others respondents made general reference to the importance of the duty to cooperate and the need to consider waste arising in more than one authority area to provide a suitable network of facilities. Some respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

It is also recognised by the Authority that, as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan), the Authority is obliged to discuss strategic Minerals and Waste matters with neighbouring authorities, for which radioactive wastes would be classified as strategic, in line with the PPG (Ref ID: 9-021-20140410), paragraph 155 and 178 of the NPPF.

The Authority recognises that paragraph 3 of the National Planning Policy for Waste (October 2014), in summary, makes reference to the need to take account of need for additional facilities that are of more than local significance and reflect any requirements for waste management facilities identified nationally.

While it is understood that there are primarily three landfill sites that can potentially accept low activity level waste from anywhere in the United Kingdom these are The East Northants Resource Management Facility (ENRMF at King's Cliffe), Clifton Marsh and Lillyhall. It is recognised essential to husband this limited capacity by ensuring that radioactive wastes are managed by the relevant process (as appropriate to the waste hierarchy). This will ensure that operators make the best use of the existing Low Level Waste management assets, such as the Low Level Waste Repository, where the majority of United Kingdom Low Level Waste is currently disposed of.

In 2010, the Nuclear Decommissioning Authority published a United Kingdom-wide strategy for managing Low Level Waste from the nuclear industry. This strategy concluded that there is considered to be sufficient capability in the nuclear estate (including the supply chain) for the provision of waste management, treatment and disposal services. This strategy proposes continued utilisation of this capability rather than investment in centralised facilities in the near term. As such, it is likely that any 'new facilities' to manage LLW would not have the necessary demand to make them feasible at this time, but such facilities may be needed during the latter stages of the plan period.

In terms of this option, it is clear that very low level activity radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts and at present there appears,

nationally, to be adequate treatment/processing/storage capacity to manage this waste stream. However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings.

The Authority considers that it would be prudent to include criteria based policies within the emerging plan that would enable any planning applications to manage this waste stream, to be considered against up to date planning policies if they are forthcoming during the plan period.

Option 23.5: Should the WBMWLP plan for a strategic LLW facility (treatment / storage / packaging), accepting that this would mean that LLW could be imported into West Berkshire for management?

This approach was not well supported, but not universally opposed. Some respondents made reference to the general disposal routes for LLW being already well established so there is little need for a strategic level facility. Some respondents suggested that a strategy / position statement was required and others respondents made general reference to the importance of the duty to cooperate and the need to consider waste arising in more than one authority area to provide a suitable network of facilities. Respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

It is also recognised by the Authority that, as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan), the Authority is obliged to discuss strategic Minerals and Waste matters with neighbouring authorities, for which radioactive wastes would be classified as strategic, in line with the PPG (Ref ID: 9-021-20140410), paragraph 155 and 178 of the NPPF.

While it is known that there are primarily three landfill sites that can potentially accept low activity level waste from anywhere in the United Kingdom these are The East Northants Resource Management Facility (ENRMF at King's Cliffe), Clifton Marsh and Lillyhall. It is recognised essential to husband this limited capacity by ensuring that radioactive wastes are managed by the relevant process (as appropriate to the waste hierarchy). This will ensure that operators make the best use of the existing Low Level Waste management assets, such as the Low Level Waste Repository, where the majority of United Kingdom Low Level Waste is disposed.

In 2010, the Nuclear Decommissioning Authority published a United Kingdom-wide strategy for managing Low Level Waste from the nuclear industry. This strategy concludes that there is considered to be sufficient capability in the nuclear estate (including the supply chain) for the provision of waste management, treatment and disposal services and the strategy proposes continued utilisation of this capability rather than investment in centralised facilities in the near term. As such, it is likely that any 'new facilities' to manage LLW would not have the necessary demand to make them feasible at this time, but such facilities may be needed during the latter stages of the plan period.

In terms of this option, it is clear that low level activity radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes generated in West Berkshire are managed though existing contracts and at present there appears, nationally, to be adequate treatment/processing/storage capacity to manage this waste stream. However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to

treat / store or package these waste arisings. It is considered that in the absence of a full understanding of the need for such facilities it is difficult for the plan to determine the most appropriate course of action.

However it is considered that it would be prudent to include criteria based policies that would enable any planning applications to manage this waste stream, considered against up to date policies if they are forthcoming during the plan period.

Option 23.6: Should the WBMWLP plan for a strategic ILW facility (treatment / storage / packaging), accepting that this would mean that ILW could be imported into West Berkshire for management?

This approach was not well supported by consultees who responded on this issue. Reference was made to there being no disposal route for ILW until the geological disposal facility is available and therefore the emerging plan should recognise the particular need to store ILW until the geological disposal facility is available. Reference was also made to the two AWE sites in West Berkshire having been shortlisted as potential sites for the storage of ILW arising from the nuclear submarine decommissioning project and the plan should reflect this potential requirement should an AWE site be chosen.

Other respondents suggested that the storage of ILW from outside the authority could be appropriate, whilst others suggested such an approach was not appropriate. Respondents made general reference to the importance of the duty to cooperate and the need to consider waste arising in more than one authority area to provide a suitable network of facilities. Respondents made reference to the need to protect the sensitive areas in West Berkshire and this needed to be considered in the formulation of the preferred strategy.

It is recognised by the Authority that there are currently no disposal methods for Intermediate and High level radioactive wastes within the UK. The UK inventory (2010) estimates that of the 5,039,330 cubic metres of radioactive waste (once packaged) in the UK approximately 9.7% (489,330 cubic metres) of this is estimated to be intermediate and higher level wastes. This figure includes the already generated volumes of radioactive waste, as well as an estimate of future arisings. As such it shows that the amounts of higher level radioactive wastes within the UK is relatively limited and so it is a matter which is relevant to paragraph 3 of the National Planning Policy for Waste (October 2014), in summary, makes reference to the need to take account of need for additional facilities that are of more than local significance and reflect any requirements for waste management facilities identified nationally. The NPPW also makes reference to waste arisings across planning authority areas through the Duty to Co-operate, which is relevant to the radioactive waste stream.

It is generally understood that any such disposal facilities are likely to have very specific geological and environmental requirements to ensure that the disposal site is appropriate for the proposed use. As such this emphasises the importance of available and safe, long term storage solutions in the meantime for waste operators/producers of such wastes until such a facility is available within the UK.

It is acknowledged within the LWA (paragraph 5.5.18) that “a consultation was carried out by the Department for Energy and Climate Change (DECC), September 2013. This confirms that the United Kingdom Government continues to believe that geological disposal, preceded by safe and secure interim storage, is the right policy for the long-term management of higher activity radioactive waste. This document also confirms that a National Policy Statement on a geological disposal facility would be developed soon after the launch of the revised siting process.” As a process is underway by National Government, it is considered that it would not be a prudent use of resources for the authority to replicate any such process

specifically for West Berkshire, especially as factors such as demand/need, waste volumes, set up cost, planning, implications from the proposal, etc are extremely relevant.

In terms of a facility with specific capacity for the storage, treatment or packaging of ILW, it is noted that AWE (the main producers of such wastes in West Berkshire) do produce some of these wastes already and so are permitted to store such wastes which are generated on-site.

It is also noted that the Ministry of Defence are currently in the process of selecting a site for the interim storage of Intermediate Level Waste (Reactor Pressure Vessels from redundant Royal Navy nuclear submarines). To date there are 5 shortlisted sites, of which two are AWE Aldermaston and AWE Burghfield. Both West Berkshire Council and the local community to these sites are effectively consultees within this process. An announcement of the outcome of this process is awaited from National Government, to understand if sites within West Berkshire are 'preferred' locations, this announcement is expected during 2016.

While further work is necessary for West Berkshire to endeavor to "ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area", in line with the NPPF (paragraph. 158) it is prudent that existing planning permissions, national policy (adopted and emerging) and waste movements are recognised within this work. Due to the existing volumes of higher level radioactive waste generated within West Berkshire it is unlikely a strategic facility is needed or an appropriate solution, above the existing facilities already provided/could be proposed within the confines of the existing AWE sites. Although the Authority will endeavour to reflect any progressions by Government Nationally to manage/dispose of such wastes within the emerging local plan for West Berkshire, where relevant and necessary.

In terms of this option, it is clear that intermediate level activity radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts and at present there appears, nationally, to be adequate treatment/processing capacity to manage this waste stream. In terms of disposal of this waste, the location for the GDF remains undetermined. As such there may be a need to continue to store such wastes at sites in West Berkshire prior to the provision of the GDF.

Through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings, in particular the storage of such wastes produced either locally or nationally. It is considered that in the absence of a full understanding of the need for such facilities it is difficult for the plan to determine the most appropriate course of action. However it is considered that it would be prudent to include criteria based policies that would enable any planning applications to manage this waste stream, to be included so such proposals can be considered if they are forthcoming during the plan period.

Option 23.7: Should criteria based policies be included to allow the consideration of any future applications (treatment / storage / packaging) to manage radioactive waste?

This approach received general support from those respondents who made a comment on this option. Reference was made to the need to ensure that sensitive receptors are adequately protected from any adverse impacts of such development proposals.

As recognised within the LWA, the main producers of radioactive wastes within West Berkshire are the Atomic Weapons Establishment (AWE) who manage the Aldermaston and Burghfield sites. The AWE sites also are significant in terms of national security and so generally apply 'confidentiality requirements' to pertinent information regarding these sites. AWE have highlighted that these sites are owned by the Ministry of Defence and so the future of the sites is outside of the control of AWE in the longer term. As such AWE generally manages the site's need for additional on-site storage, treatment or packaging facility for the radioactive wastes through the planning application process, as and when it is required.

It is also recognised that some of the management processes of the radioactive waste stream (in terms of disposal routes) are currently being considered as part of an emerging National Government process. Generally in these cases the timeframes for governmental policy planning far exceed the life of the emerging West Berkshire plan (for example, any proposed geological disposal facility for the long-term management of higher activity radioactive waste is anticipated to only accept wastes from around 2040 (at the earliest). As such, the flexibility of the emerging strategy in the WBMWLP for the management of radioactive wastes needs to be maintained to ensure that any speculative applications could be considered by West Berkshire Council in the meantime. This should be through the use of criteria based policies. This approach would also maintain flexibility in the hope that the WBMWLP could be considered to be aligned to future National Government policies.

It is clear that radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts and at present there appears, generally speaking and at the national level, to be adequate treatment/processing/storage capacity to manage this waste stream.

However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings.

Regardless of such discussions it is agreed that the emerging plan should include criteria based policies that would enable any planning applications to manage this waste stream can be considered against up to date planning plaices if such proposals are forthcoming during the plan period.

Option 23.8: Is there another strategy that the WBMWLP could develop in respect of managing radioactive waste?

Respondents made reference to the need to ensure that planning considerations and designations were considered as part of the development of any strategy relating to this waste stream. Respondents also referred to the importance of working collaboratively with other authorities.

Many respondents reiterated their preference for criteria based policies to cover any speculative proposals for the management of radioactive waste received by the authority. It is recognised that there are many guidance documents and policies which define the methods for managing radioactive wastes; these are produced by DEFRA, Nuclear Decommissioning Authority, Environment Agency and National/European government. It is recognised that current legislation generally requires waste management processes/sites to be sustainable development and to protect human health and the environment.

While further work is necessary for West Berkshire to endeavour to "ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area", in line with the NPPF

(paragraph. 158) for this to be effective it is prudent that existing planning permissions and waste movements are recognised within this work.

The development of the WBMWLP shall provide the policy framework to assess planning applications, including such matters which could impact local communities surrounding a proposal.

All relevant stages of public consultation for the emerging WBMWLP will involve all registered bodies, organisations or individuals on the Council's 'Register of consultees' for the development of the Local Plan. This includes the Environment Agency, West Berkshire Environmental Health, Health and Safety Executive, National Health Service Commissioning Board and Berkshire West Primary Care Trust/Clinical Commissioning Group.

Some comments focused on setting a higher priority on conservation of environmental assets than on purely commercial considerations. Such an approach is considered to be generally aligned to the NPPF and will be a matter considered in the development of the emerging policies in the plan.

Summary

It is clear from the responses that were made on this option that there is a level of support for the inclusion of a policy approach that relates to the management of radioactive waste.

Generally speaking there was support for the management of radioactive waste that originates within West Berkshire. However, the level of support appeared to diminished as the level of radiation generated by the different types of radioactive waste increases, to the point that the level of opposition to the management of intermediate level waste originating in West Berkshire within the authority exceeded the level of support.

There was very little support for the development of a strategy that would involve the emerging plan allocating sites for strategic facilities that would manage radioactive waste of any type / level. The respondents supported the inclusion of a criteria based policy within the plan to enable the consideration of any applications that may be forthcoming. The Authority agrees that such a criteria based policy will be required.

It is clear that radioactive waste is, and will continue to be, produced by facilities in West Berkshire. It is understood that, at present, such wastes are managed though existing contracts and at present there appears, generally speaking and at the national level, to be adequate treatment/processing/storage capacity to manage this waste stream.

However, through work under the duty to cooperate and the producers of this waste stream it will be necessary to consider whether such existing arrangements can continue and establish whether there is a need for additional capacity in West Berkshire to treat / store or package these waste arisings. It will be necessary to consider factors, such as economies of scale and the need for additional waste management capacity of more than local significance, reflecting the national need for waste management facilities (paragraph 3 of the NPPW)

Regardless of such discussions and the need, or otherwise, for the allocation of strategic sites in the plan it is agreed that the emerging plan should include criteria based policies that would enable any planning applications to manage this waste stream, to be included so such proposals can be considered if they are forthcoming during the plan period.

Waste Issue 24: Management of London's Waste

Option 24.1: Should the WBMWLP plan for waste from London to be managed at existing or new waste management facilities in West Berkshire? If so please indicate how much capacity (recycling, treatment, recovery) should be provided.

Generally speaking this potential policy approach was not well supported by those parties who responded on this issue. Some respondents acknowledged that it may be necessary to support London thorough managing wastes exported from the capital, but suggested that this should only be when it would be environmentally acceptable and it was suggested that such waste management capacity to support the capital should be minimal.

Some respondents referred to existing contracts that existing waste management facilities in the authority may already have in place to manage waste arising from London and that this should not be prevented by the WBMWLP. Other respondents suggested that there was a need to liaise with the London authorities to understand the need for authorities outside of London to support the waste related needs of the capital. Reference was made to the need to ensure flexibility on this issue and the notion of net self sufficiency. Particular concern was raised over the adverse impacts of transportation of waste.

It is recognised by the Authority that waste movements transcend administrative boundaries, and this can be due to numerous factors including existing waste contracts, specialised waste streams which have limited waste management routes, economies of scale, accessibility / transportation connections, spare capacity at operational sites, remaining life of operational site, etc.

It is understood by the Authority that, in recent years, waste movements between West Berkshire and London have been limited this is likely to be due to the lack of disposal or recovery facilities within the district and the distances (and cost) involved in transporting waste.

The Authority recognises that the revoked Regional Spatial Strategy included assumptions that certain quantities of London's waste were anticipated to be exported to the wider South East area and so required provisions for these wastes to be made in future site allocations/capacity requirements, this regional policy has been largely revoked and replaced by the NPPF. Although no equivalent national policies are proposed, authorities are anticipated to progress such strategic matters through the Duty to Co-operate. The duty to cooperate is recognised as a procedural requirement of a sound plan and so officers are actively involved in discussions relating to strategic Minerals and Waste matters with other waste planning authorities, for which waste movements of 'significant volumes' would be classified as one matter.

As discussed above, the Authority considers that the emerging plan should seek to attain a position where waste management capacity is equivalent to 'net self sufficiency'. Such an approach will assume that some wastes will transcend administrative boundaries, for example, to make use of the larger recycling capacity that West Berkshire provides or to make use of existing recovery or non hazardous disposal facilities within surrounding authorities in the South East. Such an approach does assume that all authorities will seek to provide equivalent provision for 'net self sufficiency' within their authorities plan making process to ensure a net balance of waste movements.

It is considered that this approach would be supported by the PPG (Reference ID: 9-020-20140306) which states that "if a local planning authority preparing a Local Plan provides robust evidence of an unmet requirement, such as unmet housing need, identified in a Strategic Housing Market Assessment, other local planning authorities in the housing market

area will be required to consider the implications, including the need to review their housing policies." Although the PPG continues (Reference ID: 9-021-20140410) that "the Duty to Cooperate is not a duty to agree and local planning authorities are not obliged to accept the unmet needs of other planning authorities if they have robust evidence that this would be inconsistent with the policies set out in the National Planning Policy Framework, for example policies on Green Belt, or other environmental constraints." As part of the plan making process West Berkshire has and will engage with authorities as part of the 'Duty to Cooperate' (a procedural requirement of a sound plan). As such officers are actively participating in discussing strategic Minerals and Waste matters with the London authorities, in line with the PPG (Ref ID: 9-021-20140410) to ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (paragraph 155 NPPF).

At this stage the evidence before the authority suggests that the movements of waste from the capital to West Berkshire are relatively limited, however this matter will continue to be monitored as the plan develops.

Option 24.2: Should the WBMWLP plan for waste from London to be disposed of via landfill in West Berkshire? If so please indicate how much landfill capacity should be provided.

This potential approach was not well supported. Reference was made to the lack of landfill capacity in the authority area, preventing the authority from disposing of its own waste.

Reference was made to the drive to move away from the landfilling of waste and the geological and hydrological constraints in the authority being a significant restriction on landfilling of waste in the authority by respondents.

It is well recognised that waste movements transcend administrative boundaries. This can be due to numerous factors including existing waste contracts, specialised waste streams which have limited waste management routes, economies of scale, accessibility / transportation connections, spare capacity at the site, remaining life of operational site, etc.

It is understood that in recent years waste movements between West Berkshire and London have been limited this is likely to be due to the lack of disposal or recovery facilities within the district and the distances (and cost) involved in transporting waste. This also may be a function of the lack of disposal or recovery facilities within the district.

If this potential planning policy approach were to be pursued then new landfill capacity may need to be provided within the authority, particularly non inert capacity as no such capacity exists at present. Therefore such a strategy would require waste operator interest in creating new non-inert void space to accommodate waste for disposal (landfill). Generally speaking non-inert landfilling is a waste management process which has been superseded by newer technologies to manage this waste due to changes in regulation and legislation regarding landfilling, for example the Environment Agency permit scheme is generally less favourable to new landfills of this type being permitted. It is also recognised West Berkshire have only inert landfill sites permitted within the district.

It is understood that this waste stream from London has predominantly been served by waste contracts which have favoured those proximate to the source of waste or those with connections to more sustainable transport methods, predominantly via rail-borne waste facilities.

The Authority recognises that the revoked Regional Spatial Strategy included assumptions that certain quantities of London's waste were anticipated to be exported to the wider South East area and so required provisions for these wastes to be made in future site allocations/capacity requirements, this regional policy had been largely revoked and replaced by the NPPF. Although no equivalent national policies are proposed, authorities are anticipated to progress such strategic matters through the Duty to Co-operate. The duty to cooperate is recognised as a procedural requirement of a sound plan and so officers are actively involved in discussions relating to strategic Minerals and Waste matters with other waste planning authorities, for which waste movements of 'significant volumes' would be classified as one matter.

If the London Authorities suggest that there is a need for West Berkshire to dispose of waste from London to Landfill this will need to be supported by robust evidence that managing this waste within London is unachievable, for example because it was inconsistent with the policies set out in the National Planning Policy Framework, for example policies on Green Belt, or other environmental constraints and that there were no other more acceptable options / locations.

However, at this stage the evidence before the authority suggests that the movements of waste from the capital to West Berkshire are relatively limited and there is only a very limited likelihood of new non-inert landfill capacity becoming available during the plan period. In addition the landfilling of waste is at the bottom of the waste hierarchy and the proximity principle enshrined in the NPPW suggests that such a potential policy approach might conflict with the NPPW.

Summary
It is clear from the responses that were made on this option that there is not a great deal of support for the development of a policy approach in the West Berkshire Minerals and Waste Plan that specifically involves the authority actively planning to manage waste that originates from London.

It is agreed that waste originating from the capital is, and will continue to be, imported to the authority. However these volumes are limited and it is apparent, based on the evidence avaialble at this stage, that these volumes are unlikely to significantly increase.

It is agreed that there is a need to develop the emerging plan such that it includes the ongoing cooperation and collaboration with other planning authorities on waste related matters. The authority is actively cooperating with neighbouring authorities throughout the plan making process on any relevant, strategic issues including whether or not another authority is unable to accommodate its own waste management need. If a neighbouring authority was able to provide evidence that there was an unmet need within its area, and it was considered by them that this need should be borne by WBC, WBC is willing to cooperate and negotiate with that neighbouring authority in relation to this matter.

Therefore, in the absence of any evidence to contradict this, as it stands, it is suggested that, whilst imported waste from London will not be resisted, there is currently no evidence to suggest that there is a need for the emerging plan to actively pursue, or allocate sites / capacity to meet the needs of the capital. This approach is considered to be aligned to national policy and guidance, and is likely to be a sensible policy approach in principle that could be pursued by the emerging plan.

Waste Issue 25: Re-working old landfill sites

Option 25.1: Should the WBMWLP provide a strategic position on the re-working of former landfill sites?

Most respondent suggested that the emerging plan needs to provide a strategic position on this matter. What that position should be however differed between the responding parties.

Some respondents suggested that the re-working of landfills should not be allowed, other respondents made reference to the value of materials that have been deposited in such sites as being significant such that re-working of former landfills should be encouraged. Reference was made to the value of historic landfill sites; from an ecological and / or biodiversity perspective and concern raised that such value might be lost should the re-working of mineral sites be undertaken.

Respondents referred to the need to consider the difference of approaches that could be pursued in respect of inert and non inert landfill sites and others suggested that a policy framework was required to adequately consider any proposals that may come forward.

It is recognised by the Authority that the waste hierarchy is enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill) as such this advocates a focus on the movement of waste up the waste hierarchy.

The authority is aware that there has been a limited level of interest in the mining of former landfills with the primary purpose to recover valuable resources from these historic landfill sites. It is understood that, at present, most interest is in respect of the re-working of non-hazardous landfills. Such materials which waste operators show the greatest interest in recovering are the metals or plastics which have been historically landfilled. It is noted by the authority that there have been few examples of the reworking of former landfills within the UK and generally such operations have been trialled abroad.

It is considered that, generally speaking, waste operators are more likely to focus reworking of landfills on those which pre-date source segregation and other waste management initiatives that resulted in the removal of reusable / recyclable materials from the waste stream being landfilled (to maximise the volumes of higher value wastes per landfilled tonne of waste). Unfortunately this results on a focus on the older, more historic landfill sites where there is likely to be minimal information or less detailed records remaining of the wastes landfilled, especially if the landfilling occurred prior to the Environmental permit system or predates the planning process. Newer landfill sites are regulated via environmental permits issued to the operator by the Environment Agency, with further land use controls being imposed by West Berkshire Council (who would be the responsible Waste Planning Authority on this matter within this administrative area).

The authority notes that there is the potential for environmental impacts or repercussions from the reworking/mining of former landfill sites which are likely to require appropriate mitigation measures. Considerations may need to be given to the environmental/economic benefits, risk to health and safety of public, traffic impacts associated with reworking of former landfill, proposed plant/machinery, noise assessments, impacts to local amenity/local residents/local environment (visual, noise, dust, air), cumulative impacts, landscaping/restoration scheme, proposed timescale for mining of former landfill, as well as existing planning designations or aspirations by the local community. Specific planning considerations in any case may also include: the effect of reworking of landfills on groundwater/surface water/aquifers at sites especially if the landfill is not lined (as there is

the risk of pollution/contamination to watercourses from it); gas risk assessment (if there is no active gas management at the site, the impact of landfill gas release; a mix of climate change forcing gases, on the atmosphere may also need to be considered; leachate generation (depending on the timeframe when the non-hazardous landfill was initially filled will depend on how significant impacts from leachate generation may be), impacts on well installation and engineering of the landfill.

If such a strategy was progressed within the WBMWLP it would require waste operator interest in the reworking of former landfill sites. Generally speaking waste operators are currently favouring newer waste management technologies (more aligned to the waste hierarchy) this maybe due to changes in regulation and legislation regarding landfilling, for example the Environment Agency permit scheme is generally less favourable to new/reworking of landfills of this type. As such, at this stage, and given the limited level of operator interest, West Berkshire considers it more appropriate to deal with the reworking of landfills through a policy in the WBMWLP as this allows for individual sites to come forward when, and if appropriate. As such, the Authority will be able to assess planning applications against the relevant adopted planning policies and known environmental designations/constraints.

Option 25.2: Should the WBMWLP provide development management policies that relate, and ensure appropriate control over, the potential for applications to come forward for the re-working of former landfill sites?

This potential approach was well supported by respondents, to ensure that any proposals that may come forward can be adequately considered. Some respondents suggested that such policies could be generally aligned to the policies relating to mineral working and landfilling.

The Authority recognises that the waste hierarchy is enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill) as such this advocates a focus on the movement of waste up the waste hierarchy.

The authority is aware that there has been a limited level of interest in the mining of former landfills with the primary purpose to recover valuable resources from historic landfill sites. It is understood that, at present, most interest is in respect of the re-working of non-hazardous landfills. Such materials which waste operators show the greatest interest in recovering are the metals or plastics which have been historically landfilled. It is noted by the authority that there have been few examples of the reworking of former landfills within the UK and generally such operations have been trialled abroad.

It is considered that, generally speaking, waste operators are more likely to focus reworking of landfills on those which pre-date source segregation and other waste management initiatives that resulted in the removal of reusable / recyclable materials from the waste stream being landfilled (to maximise the volumes of higher value wastes per landfilled tonne of waste). Unfortunately this results on a focus on the older, more historic landfill sites where there is likely to be minimal information or less detailed records remaining of the wastes landfilled, especially if the landfilling occurred prior to the Environmental permit system or predates the planning process. Newer landfill sites are regulated via environmental permits issued to the operator by the Environment Agency, with further land use controls being imposed by West Berkshire Council (who would be the responsible Waste Planning Authority on this matter within this administrative area).

The authority notes that there is the potential for environmental impacts or repercussions from the reworking/mining of former landfill sites which are likely to require appropriate mitigation measures. Considerations may need to be given to the environmental/economic benefits, risk to health and safety of public, traffic impacts associated with reworking of former landfill, proposed plant/machinery, noise assessments, impacts to local amenity/local residents/local environment (visual, noise, dust, air), cumulative impacts, landscaping/restoration scheme, proposed timescale for mining of former landfill, as well as existing planning designations or aspirations by the local community. Specific planning considerations in any case may include: the effect of reworking of landfills on groundwater/surface water/aquifers at sites especially if the landfill is not lined (as there is the risk of pollution/contamination to watercourses from it); gas risk assessment (if there is no active gas management at the site, the impact of landfill gas release, a mix of climate change forcing gases, on the atmosphere may also need to be considered); leachate generation (depending on the timeframe when the non-hazardous landfill was initially filled will depend on how significant impacts from leachate generation may be); impacts on well installation and engineering of the landfill.

At this stage, and given the limited level of operator interest, West Berkshire considers it more appropriate to deal with the reworking of landfills through a policy in the WBMWLP as this allows for individual sites to come forward when, and if appropriate. As such, the Authority will be able to assess planning applications against the relevant adopted planning policies and known environmental designations/constraints.

Summary

It is apparent from the responses that were made on this option that this is a matter that should be addressed by the plan making process, this is agreed by the Authority. The respondents suggested that a strategic position on this matter needs to be included within the plan along with the inclusion of development management policies to facilitate the appropriate consideration of any applications which may come forward.

The authority notes that there is the potential for environmental impacts or repercussions from the reworking/mining of former landfill sites which are likely to require appropriate consideration and, where applicable, mitigation measures. Considerations may need to be given to the environmental/economic benefits, risk to health and safety of public, traffic impacts associated with reworking of former landfill, proposed plant/machinery, noise assessments, impacts to local amenity/local residents/local environment (visual, noise, dust, air), cumulative impacts, landscaping/restoration scheme, proposed timescale for mining of former landfill, as well as existing planning designations or aspirations by the local community. Specific planning considerations in any case may include: the effect of reworking of landfills on groundwater/surface water/aquifers at sites especially if the landfill is not lined; gas risk assessment; leachate generation and management; impacts on well installation and engineering of the landfill.

Whilst these issues are likely to be more applicable to non inert landfill sites, it is considered that the policy framework will still need to cover the same sorts of issues should inert landfill sites be re-worked. Consideration will also need to be given to all other planning considerations, including the loss of any habitats / environmental benefits that may have been delivered as part of the landfilling operations once the site was completed.

At this stage, and given the limited level of operator interest, West Berkshire considers it more appropriate to deal with the reworking of landfills through a policy in the WBMWLP as this allows for individual sites to come forward when, and if appropriate. As such, the Authority will be able to assess planning applications against the relevant adopted planning policies and known environmental designations/constraints.

General Issue 26: Any Other Issue

Issue 26 was an open ended question asking respondents for comments or issues that they considered needed to be addressed in the emerging plan.

The response to this issue was varied. A number of consultees did not raise additional or new issues, but took the opportunity to re-iterate points or re-word responses to previous matters already addressed within the consultation document or make general comments that covered a number of the issues identified.

Duty to cooperate and cross boundary working was referred to extensively. As part of the 'Duty to Cooperate' (a procedural requirement of a sound plan) officers are actively participating in discussions on strategic minerals and waste matters with neighbouring authorities, in line with the PPG (Ref ID: 9-021-20140410) "The Duty to Cooperate requires authorities to work effectively on strategic planning matters that cross their administrative boundaries" and "have or would have a significant impact on at least two planning areas, in particular in connection with strategic infrastructure." The Authority is of the opinion that this will ensure that the plan is positively prepared, with "early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses…. so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area," (para 155 NPPF). The PPG states that (Reference ID: 12-002-20140306) "the Local Plan should aim to meet the objectively assessed development and infrastructure needs of the area, including unmet needs of neighbouring areas where this is consistent with policies in the National Planning Policy Framework as a whole." As such this guidance suggests that for effective cooperation between authorities to take place, those authorities who are potentially unable to meet their own need should have evidence documenting the assumed shortfall so that an informed discussion can take place. Such evidence will need to be considered against the known constraints within the planning authority areas.

Collaborative working was also referred to by a number of respondents. However, it was not always clear whether such comments related to the need for the authority to comply with the duty to cooperate or whether the respondents were suggesting that the authority should work with other waste planning authorities to deliver a plan that covers an area that extends over more than one administrative area. In terms of the former, this is addressed above. In terms of the latter, West Berkshire Council did consider a number of options for the development of the emerging plan. The possibility of producing a joint plan that covered a larger geographical area than West Berkshire, in conjunction with neighbouring authorities, was considered and discussed, in particular with the other unitary authorities that make up the former County of Berkshire. Unfortunately the other unitary authorities, whilst being agreeable to the production of a Minerals and Waste Plan, were not in a position to progress with such a plan in a time period that was acceptable to West Berkshire. Therefore a decision was made by the Planning Authority to develop a Minerals and Waste development Plan independently.

Comments were made that the consultation document appeared to be "industry led" and did not adequately reflect the loss of economic benefits that would result as a consequence of mineral extraction. However, it should be noted that the purpose of the I & O consultation was to seek to encourage stakeholders (including the community and industry and any other interested party) to put their views forward rather than leading parties down any particular path.

Comments were also received suggesting that the questions posed were very narrow and it was considered that the questions sought to elicit specific responses or were unnecessarily complicated or unduly biased towards mineral developers. It should be noted that the purpose of the I & O consultation was to seek to encourage stakeholders (including the community and industry and any other interested party) to put their views forward rather than leading parties down any particular path. In the vast majority of cases the options presented under each issue included an "any other approach" question to enable respondents to put forward any alternative approach that could be pursued in respect of the issue that had been identified. The inclusion of issue 26 was an open ended issue allowing consultees to make comments on any additional issue that it was considered had not been covered in the identified issues.

A number of respondents made reference to the option of importing minerals (either by rail or by road) together with the growing importance of marine aggregates in the overall construction aggregate mix. The NPPF confirms that all sources of construction aggregates should be considered, assessed and planned for as part of the development of the plan. The NPPF also confirms that mineral planning authorities should aim to source mineral supplies indigenously. Therefore to rely solely on imported minerals may not comply with the NPPF. The Authority does acknowledge that a key matter that is critical to this point is the level of need for land on primary aggregates and the constraints on the remaining resources in the authority and it may be that as the plan develops it is revealed that there is a need to rely, to a greater or lesser degree on imported construction aggregates.

Consultees also referred to the possibility of exporting waste from the administrative area to other localities for management. The NPPW confirms that waste plans should identify sufficient waste management opportunities to meet the identified needs of the area. The NPPF gives recognition to the fact that waste does transcend administrative boundaries, however it is considered that there would have to be clear and robust reasons for any authority area to rely heavily on a surrounding waste planning authority to meet their waste needs.

Many respondents who commented on this issue referred to the numerous planning factors that would need to be considered in the allocation of preferred area and the development of planning policies that would guide minerals and waste development. Such comments referred to cumulative impacts, heritage impacts, amenity impacts, transportation impacts, landscape impacts (particular emphasis on impacts on the AONB), visual impacts, hydrological impacts, ecological impacts and so on. These comments are definitely welcomed by the authority and all such factors will clearly be taken in to account as the plan develops. As stated at the outset of this summary report it is acknowledged that this consultation may not have drawn out such detailed issues, as it was intended to be a high level consultation seeking views from consultees to assist in steering the development of the plan. It is confirmed that the emerging strategy for the West Berkshire Minerals and Waste Plan will take into consideration all material planning considerations as the strategy is refined and the policies are developed. It is intended that consultees will be able to comment again as part of a programmed public consultation on the preferred options, which will include draft policies.

Consultees made it clear that the definitions used in the emerging plan would be of particular importance, both in terms of the definition of waste sites when seeking to detail the level of need and in the terminology that may be used in the final policies that are developed.

Similarly, and in addition to raising issues to be considered, a number of the statutory consultees made reference to, and provided information upon, existing infrastructure / services / receptors in the authority that would need to be considered in the allocation of preferred area and the development of planning policies that would guide minerals and waste development. Again it can be confirmed that the West Berkshire Minerals and Waste Plan will take into consideration all material planning considerations as the strategy is refined and the key policies are developed. It is intended that consultees will be able to comment again as part of a programmed public consultation on the preferred options, which will include draft policies.

Concern was also raised that landowners and/ or tenants may not be aware of the consultation or the plan making process. It is acknowledged by the Authority that it was not possible, or indeed practical, to seek to notify every landowner, or other interested party, in the authority of the consultation. However, the authority is legally obligated to carry out a planning consultation in a prescribed manner that has been complied with. In addition the authority has gone over and above its legal obligations in terms of consultation. The Issues and Options stage is in fact a non-statutory phase of the plan making and the authority has therefore given stakeholders more ability to have input into plan-making than the Government legally requires.

Some respondents made comments under this issue on the Strategic Environmental Assessment / Sustainability Appraisal report that accompanied the issues and options consultation. All these issues raised in relation to the IER have been noted. Overall, for clarity, the IER that supported the consultation was not intended to be a full Environmental Report, as is required by the SEA Directive and it only covered the most obvious, direct effects. Therefore it may not provide an exhaustive list of all the likely significant secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects in terms of the identified Issues and Options. It is likely that the Sustainability Objectives will be revisited prior to the preparation of the full Environmental Report. Also, the broader, indirect impacts will be taken into account during the preparation of the full Environmental Report.

General Issue 27: Call for Sites

The Issues and Options consultation, in anticipation of the next stage of the plan making process, actively sought the submission of minerals and waste site specific proposals for consideration as potential sites to be identified for minerals and/or waste uses in the final plan.

There was a good response to this call for sites and the Authority is in the process of undertaking the initial assessment process to identify and assess the factors that will enable meaningful comparison of site suitability, sensitivity and potential impacts.

The site assessment process, a draft of which was included at appendix 2 of the issues and options consultation, has been revised following the receipt of a limited number of comments from consultees on the draft assessment criteria that formed part of the consultation exercise.

The assessment process will aim to identify the key factors that are relevant to the proposed sites, physical and environmental constraints and potential adverse impacts resultant from site development, as well as mitigation measures. The cumulative impact of minerals and waste development on the wellbeing of the local community, including any significant adverse impacts on environmental quality, social cohesion, inclusion and economic potential, will also be taken into consideration.

The next stages of the West Berkshire Minerals and Waste Local Plan

The next stage of the delivery of the WBMWLP will revolve around the collection, collation and interrogation of the evidence necessary to support the development and publication of the preferred options stage of the plan.

This will include the areas of additional work identified as part of the issues and options consultation as well as documents such as a Habitat Regulations Assessment (HRA), to ensure that the plan avoids any adverse effects of waste management on the integrity of European protected nature conservation sites. A requirement for Strategic Flood Risk Assessment to be carried out has been made obligatory within NPPF, to ensure that the plan does not add to the risk of flooding in the future. The WBMWLP will also be supported by a range of other documents, such as an Equalities Impact Assessment and evidence based documents that will inform the key issues of the level of need there is in West Berkshire for new mineral extraction sites and new waste management facilities.

At this stage the Authority is anticipating that it will be in a position to undertake the preferred options consultation towards the end of 2015. The “preferred options” draft will set out in greater detail the Authority’s preferred approach for the emerging Minerals and Waste Plan and this will be subject to further consultation. The preferred options stage of the plan will be likely to contain detailed policies and identify preferred development sites and also accord with Regulation 18 of the Town and Country Planning (Local planning) (England) (Amendment) Regulations 2012.

It is hoped that the final submission draft of the WBMWLP will be submitted to the Secretary of State in 2016 with the examination in public of the plan taking place, hopefully, by the end of 2016.

It is acknowledged that this revised timetable is slightly longer than that originally anticipated at the outset of the development of this plan, however there have been a number of factors outside the control of the Authority, such as the publication of the PPG the replacement of PPS10 with the NPPW and other legislative changes, that have needed to be taken into account as the plan has been developing.

Under the requirements on the Planning and Compulsory purchase Act 2004, a sustainability appraisal (SA) is being developed alongside the WBMWLP (incorporating the requirements of the Strategic Environmental Assessment Directive). This process will assess the likely environmental, social and economic impact of the policies and proposals contained in the WBMWLP.

The purpose of the SA is to promote sustainable development through better integration of sustainability considerations in the preparation and adoption of plans. It is an iterative process that identifies and reports on the likely significant effects of each local plan and the extent to which implementation of the policies it contains will achieve agreed social, environmental, economic and resource management objectives. The SA process will continue to inform the development of the WBMWLP as it progresses.

Glossary of Terms

All the documents that form part of the evidence base for the West Berkshire Minerals and Waste Local Plan, contain numerous technical terms and acronyms.

As opposed to including a glossary in each and every publication the Authority has produced a single "living" glossary that will continue to be updated with new terms and acronyms. The latest version of the glossary document is available on the Councils website: **http://info.westberks.gov.uk/index.aspx?articleid=29081**

If you require this information in an alternative format or translation, please call 01635 42400 and ask for the Minerals and Waste Planning Policy Team.

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