

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Planning Committee **DATE:** 20<sup>TH</sup> February 2014

**CONTACT OFFICER:** Paul Stimpson, Strategic Lead, Planning Policy  
**(For all Enquiries)** (01753) 875820

**WARD(S):** All

### **PART I**

### **FOR DECISION**

## **CONSULTATION ON WEST BERKSHIRE MINERALS AND WASTE LOCAL PLAN ISSUES AND OPTIONS: RESPONSE BY SLOUGH BC**

### **1. Purpose of Report**

To inform Members that West Berkshire Council has invited representations about its West Berkshire Minerals and Waste Local Plan: Issues and Options and the work in progress on the response for submission by its 28 February 2014 deadline.

### **2. Recommendation**

It is recommended that:

- 1) members note the publication of a Consultation Document on Issues and Options about Minerals and Waste Local Planning in West Berkshire;
- 2) agree representations be submitted by Slough BC as set out in para 5.24 of this report and the response be delegated to the Strategic Lead, Planning Policy for submission.
- 3) members take the opportunity to comment at this preliminary stage.

### **3. Community Strategy Priorities**

Minerals and Waste Local Plans are part of the statutory planning frameworks. They are prepared by the Minerals and Waste Planning Authorities. A planning framework represents an important spatial element of the Council Community Strategy and informs other emerging priorities: It should be noted that the six Berkshire Unitary Authorities are no longer preparing a joint plan.

- A Cleaner, Greener place to Live, Work and Play
- Prosperity for All

### **4. Other Implications**

#### **(a) Finance**

No direct financial implications

#### **(b) Risk Management**

There are no specific issues directly arising from this report

(c) Human Rights Act and Other Legal Implications

It is considered that there are unlikely to be any significant implications in relation to the Human Rights Act.

(d) Equalities Impact Assessment

No direct implications

(e) Workforce

The proposed actions form part of the existing work programme.

5. **Supporting Information**

Background

- 5.1 The Berkshire Unitary Authorities have historically acted together on minerals and waste planning policy-making. A Replacement Minerals Local Plan and Waste Local Plan were approved in 2001 and 1998 respectively. A decision to close the Berkshire Joint Strategic Planning Unit was made in 2009 after the withdrawal of the then emerging Minerals and Waste Core Strategy. Each of the six Berkshire Unitary Authorities can decide how to handle this work in the future.
- 5.2 There has been continuing cooperation for collecting evidence on minerals extraction in Berkshire with the publication of Berkshire Annual Monitoring reports and more recently the 2013 Berkshire Aggregates Assessment. In January 2014, the Planning Committee agreed to a Memorandum of Understanding between the Berkshire Authorities for Duty to Cooperate requirements for minerals and waste matters.
- 5.3 In 2011, the National Planning Policy Guidance and subsequent technical guidance continue to stress the importance of securing available primary and secondary aggregates as economic drivers for delivering economic growth.
- 5.4 The large volumes and different types of waste and their destination are of great significance in Berkshire. Landfill taxes have resulted in diverting waste away from landfill and into waste recovery. Government guidance seeks to achieve zero waste going into landfill and achieving greater waste recovery. The 2013 National Waste Strategy for England has re-endorsed these changes.
- 5.5 Both minerals and waste planning are treated as 'county matters' by the Mineral and Waste Planning Authorities. In this case, these are the Unitary Authorities in Berkshire. These are also treated in this way because the matters are of interest across more than one authority. The 2011 Localism Act put in place a new Duty to Cooperate to deal with this. This requires authorities to notify and consult with other authorities where there are cross border implications.
- 5.6 It is important to acknowledge why Slough BC should make representations to West Berkshire during the preparation of the Minerals and Waste Local Plan. Slough BC has incorporated the saved minerals planning policies of the 2001 Replacement Minerals Local Plan into its 2013 Composite Local Plan for Slough. This was in the knowledge that there are very few sites left for minerals extraction in Slough. Members will know about the large scale of extraction that took place in past decades. Slough BC will continue with the Plan policies

albeit acknowledging that the Site Allocations are out of date. It is not considered there is an immediate requirement for Slough to review the Plan for the reasons set out above.

- 5.7 Where such circumstances arise, Mineral Planning Guidance requires other authorities like West Berkshire with remaining mineral reserves to supply aggregates elsewhere. Otherwise it would hinder new construction taking place in other areas. Slough BC want to ensure other Minerals Local Plans have sufficient provision for this when new Plans come forward.
- 5.8 On waste, Slough BC has awaited the 2013 National Waste Strategy for England and new guidance before deciding how to proceed. There are similar considerations in terms of availability of waste facilities and movement of waste across Berkshire.
- 5.9 Slough has been receiving significant recent investment in the waste field. These include a variety of facilities for new waste recovery, energy from waste and other new technology with greater capability for handling recycled materials. Not only has this successfully diverted waste away from landfill, this investment can be seen as an endorsement of the Council's economic strategy in securing local investment and employment within Slough. The growth of this new business sector can be welcomed at a time when investment has been weak in some other sectors. It is still however desirable to apply the 'proximity principle' for waste facilities wherever possible.
- 5.10 West Berkshire Council has decided to produce its own Minerals and Waste Local Plan. The Consultation Document is the first stage being undertaken. The document can be viewed on their Council website. The period of consultation expires at the end of February 2014.

#### Berkshire 2013 Annual Aggregates Assessment

- 5.11 This annual aggregates assessment has been produced for the whole of Berkshire. In reporting on the availability of Berkshire mineral reserves, and past and current supply of aggregates, it helps forecast the future supply and demand for new gravel. It also anticipates the likely future amount and rate of development coming forward because of its significance. In Slough, the rate of development taking place might be limited by the availability of aggregates coming from elsewhere. Slough, as minerals planning authority, should therefore seek to ensure the availability of supplies so as not to inhibit growth in Slough.
- 5.12 The report describes a changing pattern of sites and the geographical areas where reserves can be found in Berkshire. It also identifies designated areas with environmental constraints where reserves can be found. In brief, more new sites have recently been opening in the Windsor and Maidenhead and the majority of reserves are found in the four Berkshire Unitaries other than Reading and Slough.
- 5.13 Berkshire has historically provided significant amounts of aggregates annually as have neighbouring counties. It also importing some from elsewhere. This generally reflects the scale of demand within the county itself, neighbouring areas like Greater London and large infrastructure and building projects taking place. The annual consumption often fluctuates as is also the case with neighbouring mineral planning areas like Buckinghamshire, Surrey

County Council and Oxfordshire. There has been lower demand during the recent economic downturn. The collected evidence suggests the annual sales were 1.13m tonnes and 0.87m tonnes in 2011 and 2012 respectively for Berkshire.

- 5.14 Since the approval of the previous Replacement Minerals Plan in 2001, the amount of reserves has been reducing. At the current rate of extraction, there is a remaining landbank of 9.2 years compared with the required 7 years in Berkshire. The figure of 7 years landbank remaining is generally used to ensure there will be a continual supply available. However, some of the Berkshire Minerals Planning Authorities impose annual maximum amounts of gravel to be extracted. This can restrict the amount of gravel becoming available annually .
- 5.15 Some of the last remaining Preferred Sites within the approved 2001 Replacement Minerals Local Plan are now seeking planning permission. Where approved Preferred Sites do come forward, it is necessary to fully assess these against the development management policies relating to activity , traffic generation, restoration and phasing, dust and noise nuisance and temporary landscaping before reaching a decision.
- 5.16 The LAA evidence suggests forecasting be based upon an annual supply in the region of 890k tonnes from Berkshire sites.

#### West Berkshire Mineral and Waste Local Plan:Issues and Options

- 5.17 A Minerals and Waste Local Plan is a strategic level document for the plan period of up to 20 years. It will also comprise detailed development management policies allowing consideration of minerals and waste planning applications as well as site allocations.
- 5.18 This Consultation Document briefly describes the landscape and geological characteristics e.g. 74% of West Berkshire falls within the North West Downs AONB. This designation is treated as an environmental constraint. It has historically produced large amounts of sharp sand and gravel and soft sand largely from the area outside the AONB.
- 5.19 The Consultation Document forecasts the future annual sales as being between 415k-480k from trends drawn from past ten year sales and likely demand arising from forecast new construction. The Consultation Document is seeking views about this forecast level or alternative levels of demand.
- 5.20 West Berkshire Council has current provision for one integrated waste management plant at Padworth and one Household Recovery Plant at Newbury. It reports that there should be sufficient waste capacity for the whole Plan period. The Council will address how specific waste such equine and radioactive waste are handled.
- 5.21 West Berkshire Council also sets out a list of different options requiring response. The consultation is primarily intended for their residents to have their say. Each option needs some assessment because of the complexity and changes.
- 5.22 Responses will be used to formulate the development of the strategy itself and devise suitable planning policies for this. There is also a call for suitable sites to come forward in the event of the reserves falling below the minimum 7 years landbank. It is intended that the Plan be subject to scrutiny at a future Public

Examination in late 2015/early 2016 ready for adoption in 2016.

5.23 West Berkshire Council has only recently issued its consultation exercise on its published Minerals and Waste Local Plan: Issues and Options. Slough BC should maintain its interest on these matters for the reasons set out above

5.24 From our initial findings, it is considered that:

- 1) Slough BC welcome their decision to commence work on a Minerals and Waste Local Plan covering half of the former Berkshire County Council area and the consultation taking place.
- 2) Slough BC express support for the option requiring future annual production of aggregates of 413k-480k in West Berkshire. This will make a significant contribution towards the county-wide production in future years.
- 3) Slough BC welcome their decision to invite expressions of interest for new sites.
- 4) That West Berkshire Council continue to positively work towards Pathway to Zero Waste objectives to eliminate any unnecessary residual waste going into landfill.

It is considered that some further technical responses should be prepared by the Strategic Lead, Planning Policy and the decision be delegated to the Strategic Lead, Planning Policy to finalise and submit the response.

## 6. **Conclusion**

West Berkshire Council has only recently issued its consultation exercise on its published Minerals and Waste Local Plan: Issues and Options. Slough BC should maintain its interest on these matters for the reasons set out above. It is recommended that members accept the response set out in para 5. 24, together with technical responses being prepared by officers. It will be necessary to agree to delegate the final decision on the response to the Strategic Lead, Planning Policy.

## 7. **Appendices Attached**

None

## 8. **Background Papers**

West Berkshire Minerals and Waste Local Plan: Issues and Options-a Consultation Document	2014
Replacement Minerals Local Plan for Berkshire	2001
Waste Local Plan for Berkshire	1998
Composite Local Plan for Slough	2013
Berkshire Local Aggregates Assessment	2013
Report to January Planning Committee about	2014
Memorandum of Understanding between Berkshire Unitary Authorities about Minerals and Waste Planning	