

# Agenda Item IMD7

## INDIVIDUAL EXECUTIVE MEMBER DECISION

REFERENCE IMD: IMD 2021/07

<b>TITLE</b>	West Berkshire Minerals and Waste Local Plan Proposed Submission November 2020
<b>DECISION TO BE MADE BY</b>	Executive Member for Planning and Enforcement - Wayne Smith
<b>DATE, MEETING ROOM and TIME</b>	16 February 2021 Virtually at 4.00pm
<b>WARD</b>	None Specific;
<b>DIRECTOR / KEY OFFICER</b>	Director, Place and Growth - Chris Trill

### **PURPOSE OF REPORT (Inc Strategic Outcomes)**

To consider the council's response to West Berkshire's Minerals and Waste Local Plan Proposed Submission consultation, running from 4 January to 15 February 2021 to ensure it has minimal negative impacts upon Wokingham Borough and that any benefits are maximised.

### **RECOMMENDATION**

The Executive Member for Planning and Enforcement agrees that Wokingham Borough Council:

1. Submit the comments contained in this report as this council's response to West Berkshire District Council's Minerals and Waste Local Plan Proposed Submission consultation (November 2020);
2. Notes the withdrawal of the holding objection set out in the council's response to the earlier consultation; and
3. Delegates any further submissions to the examination in public process to the Director of Place and Growth, in consultation with the Lead Member for Planning and Enforcement.

### **SUMMARY OF REPORT**

West Berkshire District Council (WBDC) is progressing a review of its adopted planning policies for Minerals and Waste development through the preparation of a new local plan (the Plan). The Plan relates solely to the district and not a wider area and covers the period to 2037.

WBDC has now published a proposed submission version of the Plan for consultation under Regulation 19 of Town and Country Planning (Local Plan) (England) Regulations 2012 (as amended). The consultation ends on 15 February 2021.

An analysis of key issues is set out below.

The Plan seeks to maintain a 7 year landbank of minerals in accordance with government planning policy.

The allocation of two sand and gravel sites is proposed to ensure continuous supply. Neither is in proximity to Wokingham Borough and therefore no adverse impacts on residents or businesses are anticipated.

The Plan does not make specific allocations to address the projected shortfall in sharp sand and gravel from the Joint Central and Eastern Berkshire Minerals and Waste Plan area, within which Wokingham Borough forms part, should new sites not come forward. Draft Statements of Common Ground are being prepared to support plan-making and identify potential future sources. WBDC have indicated their willingness to be party to these statements.

The plan seeks to safeguard existing waste management sites within West Berkshire District. There are currently sufficient sites, and sites which will come on stream via consented mineral extraction permissions, to manage projected future waste needs. No additional sites are proposed for allocation; however, the level of need for new waste management capacity to meet national requirements, will be kept under review through the production of Authority Monitoring Reports (AMR).

This is the final consultation stage before the Plan is submitted to the Secretary of State for examination in public. It may be necessary for WBC to participate in this process and as such delegated authority is sought to the Director of Place and Growth, in consultation with the Lead Member for Planning and Enforcement, to approve any submissions. This is requested to ensure that responses are able to be dealt with within the shorter timeframes.

## **Background**

West Berkshire District Council (WBDC) is progressing a review of its adopted planning policies for Minerals and Waste development through the preparation of a new local plan (the Plan). The Plan relates solely to the district and not a wider area and covers the period to 2037.

WBDC has now published a proposed submission version of the Plan for consultation under Regulation 19 of Town and Country Planning (Local Plan) (England) Regulations 2012 (as amended).

This is the final consultation before submission to the Secretary of State for examination in public. The consultation runs until Monday 15<sup>th</sup> February 2021.

This stage follows earlier stages of consultation:

- In January / February 2014 an Issues and Options consultation set out the matters the council considered necessary to be included in the Plan, and invited operators and landowners to submit potential sites for minerals and waste development.
- In summer 2016 consultation was undertaken on the sites submitted for consideration as part of the plan making process, prior to WBDC having undertaken their own site assessments.
- In May / June 2017 a Preferred Options consultation was undertaken, which set out WBDC's preferred approach. This set out proposals to be waste net self-sufficient, as well as safeguarding minerals infrastructure. Wokingham Borough Council (WBC) submitted a holding objection to this consultation requesting that the site selection is reconsidered to ensure mineral supply across a wider area of Berkshire, in light of concerns regarding the deliverability of permitted minerals reserves.

The proposed strategy set out in the Plan is supported by a number of documents, including a Sustainability Appraisal, site selection methodology, and a duty to cooperate statement.

The recommended is that the comments contained in this report are submitted as this council's response.

## **Business Case (including Analysis of Issues)**

A key role of the Plan is to set out the preferred sites for development that enable the minerals and waste needs of the district to be met. In addition, the Plan sets out a range of policies which provide a framework for assessing proposals and managing their impact if permitted.

An analysis of key issues is set out below.

### Duty to Cooperate

Planning for and managing development for minerals and waste activities is a strategic matter that crosses local authority administrative boundaries. Local Planning

Authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters.

Minerals and waste planning in the rest of Berkshire, with the exception of Slough Borough Council, is being progressed jointly between Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (hereafter referred to as the Joint Authorities) through the preparation of a Joint Central and Eastern Berkshire Minerals and Waste Plan.

There has been active engagement between WBDC and the Joint Authorities to support both plan making processes.

In response to the previous WBDC Preferred Options consultation (2017), WBC noted potential delivery problems with some of the identified mineral supply and as a result submitted a holding objection requesting that WBDC site selection was reconsidered to ensure adequate supply. For the reasons set out below, it is now considered that the reasons for the previous objection have now been resolved.

### Minerals

Minerals development can only take place where the resources are present. Within West Berkshire District, the extraction of sand and gravel is focused along the river valley between Reading and Newbury.

Paragraph 207 of the NPPF states that minerals planning authorities should plan for a steady and adequate supply of primary construction aggregate (sand and gravel), by maintaining a landbank of at least 7 years.

The Plan sets out a forward plan for the supply of minerals which is based on the use of past rates as set out in the Local Aggregates Assessment (LAA). The assumed rates are considered appropriate.

To support the supply, two minerals sites are proposed for allocation:

1. Tidney Bed, Ufton Nervet (sharp sand and gravel); and
2. Chieveley Services, Chieveley (soft sand).

The allocation of two sand and gravel sites to help the continuation of supply is noted, although as not all currently allocated sites are active, ongoing monitoring and communication to ensure steady supply is welcomed through the Duty to Cooperate.

Given the locations of these proposals in West Berkshire District, the process of extraction is not anticipated to give rise to adverse impacts on Wokingham Borough residents' or businesses.

With regard to the cross boundary movement of minerals, the Plan makes no specific allowance for additional supply of sharp sand and gravel to address the projected shortfall arising from the Joint Central and Eastern Berkshire Minerals and Waste Plan area. The evidence paper does however refer to the chosen rate enabling local demand to be satisfied and to also ensure a contribution to wider supply.

Soft sand resources in West Berkshire District are more limited. Two sites located within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) have been assessed as 'potentially deliverable,' at Chieveley Services and 60 Acre Field. Supporting text in the Plan notes that an exceptional circumstances case to justify development has only been set out in support of the proposed allocation at Chieveley Services. However, 60 Acre Field site has not been taken forward in spite of being classified similarly. Further information is therefore required, as development at 60 Acre Field would fill and exceed, the 120,000-390,000 tonne shortfall in soft sand supply. This would further remove reliance on windfall sites, and supply from South Oxfordshire.

Statements of Common Ground are being prepared to support plan-making.

A draft Statement of Common Ground regarding sharp sand and gravel has been circulated by the Joint Authorities to neighbouring mineral planning areas that have been identified as potential future sources of sharp sand and gravel, should suitable proposals not be forthcoming within the Area of search outlined in the plan to meet demand. The Statement of Common Ground has also been reviewed by the South East England Aggregate Working Party. West Berkshire have indicated that they are willing to be party to this and commented on the draft accordingly. Within the statement the parties agree that 'there is a need to recognise existing movements and take into consideration the sharp sand and gravel needs of Central and Eastern Berkshire in their plan-making, as required by the National Planning Policy Framework'.

Similarly, a draft Statement of Common Ground regarding soft sand has been prepared by the Central and Eastern Berkshire authorities for those neighbouring areas that have been identified as potential sources of soft sand. As there are no supplies of soft sand in the Central and Eastern Berkshire area and there were no reported shortages of soft sand supplies in Central and Eastern Berkshire, this suggests that the current patterns and sources of soft sand appear to be meeting the requirements in the Plan area – West Berkshire District historically being one.

## Waste

As part of the effective and appropriate management of waste, WBDC seek to maintain net self-sufficiency in waste, where a total waste capacity provided from sites in West Berks District is greater than the waste arising in the district over the plan period. It is recommended that this is supported, in that it reflects the National Planning Policy for Waste, and the approach taken in the pre-submission version of the Joint Central and Eastern Berkshire Minerals and Waste Plan.

Although there will always be movement of waste across administrative boundaries, WBDC have prepared a Local Waste Assessment that provides data on different types of waste stream and the capacity to manage that waste within West Berkshire District. The LAA sets out a number of methodologies for assessing waste arising and then predicting waste growth. It is recommended that the choice of realistic worst case scenarios and of adopting a proportion of the "Berkshire" and "South East" wastes is welcomed as this approach adds flexibility to estimates of the waste management provision that may be needed.

When considering the capacity of existing permanent waste sites, and the worst case projection of total annual waste arisings, it is notable that West Berkshire had waste sites that were available as part of the call for sites process that were not needed for

consideration for allocation. In combination with consented sites, this provides a headroom of almost 300,000 tonnes. In addition, based on the latest 2018 data, the level of operational permanently consented waste management capacity will exceed the project level of waste arisings in 2037.

This is different to the situation within Joint Central and Eastern Berkshire Minerals and Waste Plan area where multiple call for sites processes showed a shortfall of waste management sites.

Due to this surplus in waste management capacity in West Berkshire District, the Plan does not propose any additional sites for waste management to meet future needs. The Plan instead focuses on safeguarding existing waste management facilities to ensure consented capacity is not lost to other uses.

Given the present shortfall of waste management facilities within the Joint Central and Eastern Berkshire Minerals and Waste Plan area, it is recommended that the Plan recognises that a variety of waste movements between the two areas will continue, predominantly waste imported into the Plan area (as outlined in the West Berkshire Local Waste Assessment).

#### Examination in Public

As referenced above, this is the final consultation stage before the Plan is submitted to the Secretary of State for examination in public.

It may be necessary for WBC to participate in the examination process. To ensure this process is efficient and able to respond within shorter timeframes, it is recommended that delegated authority is provided to the Director of Place and Growth, in consultation with the Lead Member for Planning and Enforcement, to approve any submissions.

#### Conclusion

In summary, it is recommended that Wokingham Borough Council welcomes the commitment of WBDC to provide a steady supply of aggregate and maintain a strong landbank, in addition to seeking to maintain waste net self-sufficiency.

WBC, as part of the Joint Authorities, will continue its engagement with WBDC on minerals and waste planning.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

*The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.*

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil	Not relevant	Not relevant
Next Financial Year (Year 2)	Nil	Not relevant	Not relevant
Following Financial Year (Year 3)	Nil	Not relevant	Not relevant

<b>Other financial information relevant to the Recommendation/Decision</b>
None anticipated

<b>Cross-Council Implications</b>
None anticipated

<b>Public Sector Equality Duty</b>
Due regard has been had to the Public Sector Equality Duty in reviewing and responding to this consultation.

<b>SUMMARY OF CONSULTATION RESPONSES</b>	
<b>Director – Resources and Assets</b>	No comments received
<b>Monitoring Officer</b>	No comments received
<b>Leader of the Council</b>	No comments received

<b>List of Background Papers</b>
1. <a href="#">Proposed Submission Minerals and Waste Local Plan</a>
2. <a href="#">Duty to Cooperate Statement</a>

<b>Contact</b> Ian Bellinger	<b>Service</b> Place Commissioning
	<b>Email</b> <a href="mailto:ian.bellinger@wokingham.gov.uk">ian.bellinger@wokingham.gov.uk</a>

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