

## Proposed Modifications to the Minerals and Waste Local Plan

### Proposed Main Modifications (Page 2)

Main Modifications are shown as:

- **Additional text** (bold text, doubled underlined)
- ~~**Deletions**~~ (bold text, double strikethrough)

All main modifications, if accepted by the Inspector, will be subject to further consultation.

### Additional Modifications (page 16)

Additional modifications are shown as:

- Additional text (underlined text)
- ~~Deletions~~ (strikethrough text)

Additional modifications are factual or typographical changes to the plan and therefore, are not subject to further consultation, but are included here for completeness.

All modifications are shown in context in a 'Tracked Changes' version of the Minerals and Waste Local Plan, using the same mark-up scheme as shown above. Main Modifications are also marked with their MM reference.

## 1. Proposed Main Modifications to the Minerals and Waste Local Plan

| Mod Ref | Section / Policy / Paragraph | Change   | Reason   |
|---------|------------------------------|--|--|
| MM1     | 2.9                          | Increasingly construction and demolition waste is being used, where the specification allows, as a substitute for primary aggregates. This poses new and different demands on the construction aggregate supply industry in finding sites and processing capacity to recycle and deliver these materials. <del>Since 2012 the sales of recycled aggregates from sites in West Berkshire have exceeded the sales of primary aggregates won from mineral extraction sites within the district.</del>                     | Oxfordshire County Council Examination Statement of Common Ground  |
| MM2     | Vision                       | To facilitate the planned delivery of mineral resources and waste management capacity which meet the requirements for West Berkshire in accordance with national planning policy. In particular to plan for the delivery of mineral resources and waste management capacity in locations which meet the needs of West Berkshire in the most sustainable way, <u>and taking into account climate change.</u>  | To ensure Climate change is specifically mentioned in the vision for the plan. Matter 1, Issue 1 (a)     |
| MM3     | M2                           | To attain the principles of sustainable development set out in the NPPF by taking into consideration the demand for all mineral resources and the need to protect the quality of life of residents, and protect and enhance the natural, built and historic environment, <u>taking into account climate change.</u>  | To ensure climate change is specifically mentioned in the objectives for the plan. Matter 1, Issue 1 (a) |
| MM4     | M4                           | To maintain a stock of permitted reserves (a landbank) for aggregate minerals, in accordance with current Government advice to ensure an adequate and steady supply of minerals, as far as is practical, from outside the North Wessex Downs Area of Outstanding Natural Beauty, Scheduled Monuments and Conservation Areas <u>whilst also taking into account the potential for future contribution that should be made from mineral working in West Berkshire towards the aggregate supply needs of other areas.</u> | Oxfordshire County Council Examination Statement of Common Ground<br>Matter 1, Issue 1 (b)               |
| MM5     | W8                           | To ensure appropriate protection and enhancement of the natural, built and historic environment in West Berkshire from the adverse effects of waste management related to development in accordance with the NPPF <u>and taking into account climate change.</u>   | To ensure climate change is specifically picked up in the objectives for the plan. Matter 1, Issue 1 (a) |
| MM6     | New paragraph after 4.13     | <u>MHCLG have undertaken the Aggregate Minerals Survey for 2019, which along with sales, reserves and permissions, also includes movements of minerals between Mineral Planning Authorities. Once published, the results of this survey, particularly in relation to movements</u>   | Oxfordshire County Council Examination   |

| Mod Ref | Section / Policy / Paragraph  | Change  | Reason  |
|---------|-------------------------------|---|---|
|         |                               | <b><u>of aggregate minerals into West Berkshire, will be critical to determining West Berkshire's future projections of need for aggregate minerals. The findings of this survey and any other relevant future surveys will be considered within future LAAs.</u></b>   | Statement of Common Ground.<br>Matter 2, Issue 1 (c)              |
| MM7     | Policy 3                      | <p>In order to ensure the appropriate management of waste arisings within West Berkshire the Council will seek to maintain net self-sufficiency, where the total waste management capacity provided from sites in West Berkshire is greater than the total waste arisings within West Berkshire over the plan period to 2037.</p> <p>The level of need for new waste management capacity to meet net self-sufficiency <b><u>as well as capacity surplus/deficits by waste management type</u></b> will be kept under review through the production of Authority Monitoring Reports.</p> <p>The Council will seek to drive waste up the waste hierarchy by requiring waste development proposals to demonstrate that the waste being managed cannot reasonably be managed higher up the waste hierarchy than that proposed.</p>  | Matter 4, Issue 1 (a)   |
| MM8     | 4.23                          | <p>Therefore there will always be a movement of waste across administrative boundaries, however it is considered that planning for net self-sufficiency should mean that the authority is in the position where the necessary level of waste movement is reduced. It is accepted that West Berkshire will always be reliant on other local authorities to manage some waste arising within West Berkshire. This is because there is no non-hazardous landfill capacity within the authority meaning that such wastes destined for landfill will have to be exported. Similarly there is only a small volume of waste recovery capacity in West Berkshire (there being a small number of facilities that use waste wood to generate electricity of produce heat and some on farm anaerobic digestion capacity). <b><u>However, these potential shortfalls in capacity are at the lower end (or bottom in the case of landfill) of the waste hierarchy that is set out in National Planning Policy for Waste. As such the vast majority of existing operations and permitted waste management facilities in West Berkshire are at the upper end of the waste hierarchy.</u></b></p> | Oxfordshire County Council Examination Statement of Common Ground |
| MM9     | New paragraph after para 4.23 | <b><u>National policy does not necessarily expect every waste planning area to provide the full range of facilities required to manage waste arising within the Plan Area, given economies of scale and the operation of the market transcending administrative boundaries. This means that each WPA may aim to achieve self-sufficiency overall ('net' self-sufficiency), which</u></b>  | Oxfordshire County Council Examination Statement of Common Ground |

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|---------|------------------------------------|---|---|
|         |                                    | <u>means that flows into and out of the Plan area are balanced and offset. For West Berkshire the lack of capacity to manage residual waste is more than offset by the capacity of facilities providing other forms of waste management in the district such as recycling. Therefore, overall waste management capacity in the district exceeds that of the waste generated and it can be said that the objective of net self-sufficiency can be met. Where a specific lack of capacity exists (for example residual waste management), this has been addressed through the Duty to Cooperate.</u>  |   |
| MM10    | New paragraph after new para above | <u>As already outlined, West Berkshire does not have sufficient capacity to manage residual waste either through energy recovery or non-hazardous landfill (The Local Waste Assessment identifies a need for 85,117 tpa for energy recovery and 34,000 tpa for non-hazardous landfill by 2037) . However, notwithstanding this shortfall in capacity, it is still possible for West Berkshire to be net self-sufficient in waste management over the Plan period. This is because even though there is a lack of non-hazardous landfill and recovery capacity, the surplus capacity at other types of waste management facility in the district more than offsets this shortfall. Therefore, the total waste management capacity in the district still exceeds the quantity of waste generated. The principle of planning for ‘net’ self-sufficiency has been agreed with other Waste Planning Authorities in the South East of England, through the South East Waste Planning Advisory Group (SEWPAG) Statement of Common Ground (para 2.1). In addition, Policy 7 allows for proposals for non-hazardous landfill to come forward where they meet the requirements of that policy, and a Statement of Common Ground has been prepared to address the lack of non-hazardous landfill and recovery capacity over the Plan period.</u> | Oxfordshire County Council Examination Statement of Common Ground |
| MM11    | 4.24                               | <del>However these potential shortfalls incapacity are at the lower end (or bottom in the case of landfill) of the waste hierarchy that is set out in National Planning Policy for Waste. As such the vast majority of existing operating and permitted waste management facilities in West Berkshire are at the upper end of the waste hierarchy.</del> The Local Waste Assessment (LWA) (2020) that has been produced to inform the development of the Minerals and Waste Local Plan has considered the volume of waste arisings in West Berkshire by waste stream and also uses various methods to project the volume of waste arisings anticipated at the end of the plan period (2037). The full detail can be found in the LWA but in all cases the Council has sought to use the least conservative (but still reasonable) forecasting method when projecting future waste arisings. Such  | Oxfordshire County Council Examination Statement of Common Ground |

| Mod Ref | Section / Policy / Paragraph | Change   | Reason  |
|---------|------------------------------|--|---|
|         |                              | <p>an approach has been adopted to ensure that the projections in the LWA are sufficiently robust to ensure that the policy approach adopted in the MWLP is the most appropriate.</p>  |   |
| MM12    | Policy 4                     | <p>Allocated Sites<br/>The following sites are allocated to meet the need for primary aggregates:</p> <p>Sharp Sand and Gravel<br/>1. Tidney Bed, Ufton Nervet (Policy 30 'Tidney Bed')</p> <p>Soft Sand<br/>2. Chieveley Services, Chieveley (Policy 31 'Chieveley Services')</p> <p>A map showing the location of the allocated sites is given in Appendix 1 'Allocated Sites'.</p> <p><del>There will be a presumption in favour of construction aggregate extraction proposals only in the following circumstances</del> <b><u>Planning permission will be granted for construction aggregate extraction where the following criteria are met:</u></b></p> <ul style="list-style-type: none"> <li>• The site is allocated for mineral extraction in this plan, provided that the identified site specific requirements are satisfied; or</li> <li>• The extraction proposal relates to a proposal for a borrow pit; or</li> <li>• The extraction proposal relates to the extraction of minerals prior to a planned non mineral development (prior extraction); or</li> <li>• The extraction proposal relates to a proposal for another beneficial and acceptable use and mineral extraction is a necessary part of the proposed development; or</li> <li>• The extraction proposal is required to maintain the requirement provisions in Policy 2 'Landbank and Need'.</li> </ul> <p><del>In addition, for soft sand</del> <b><u>planning permission will additionally be granted for extraction where the following criteria are met:</u></b></p> <ul style="list-style-type: none"> <li>• The site is located within an area of search for soft sand; or</li> <li>• For proposals within the North Wessex Downs AONB, the requirements of the exceptional circumstances test in the NPPF are satisfied.</li> </ul> | Oxfordshire County Council Examination Statement of Common Ground |

| Mod Ref | Section / Policy / Paragraph       | Change  | Reason  |
|---------|------------------------------------|---|---|
|         |                                    | <del>Although there is a presumption in favour of development in the areas identified in this policy</del> <u>In addition to the requirements identified in this policy</u> , proposals must meet the requirements of all relevant policies in this plan.   |   |
| MM13    | New paragraph after 4.39           | <u>For soft sand, the Plan identifies one soft sand site for allocation (Chieveley Service). As the site is within the North Wessex Downs AONB, the Council has carried out an exceptional circumstances test in line with the NPPF to determine that extraction within the AONB is justified (as set out in the Soft Sand Topic Paper). This test has demonstrated that there is a pressing need for soft sand within West Berkshire, and has determined that the alternatives for extraction within the AONB are not sufficient to meet the identified need. It has also been determined that the allocated soft sand site is able to be developed without significant adverse effects on the environment, landscape or recreational opportunities.</u>   | Oxfordshire County Council Examination Statement of Common Ground |
| MM14    | New paragraph after new para above | <u>As the allocated site cannot be relied upon to fully meet need for soft sand identified in Policy 2, the Council has also identified areas of search (Figure 3 'Soft Sand Areas of Search') within which permission for soft sand extraction may be granted, provided that the criteria of this policy and all other relevant policies in the Plan are met.</u>  | Oxfordshire County Council Examination Statement of Common Ground |
| MM15    | 4.42                               | <del>As imports from Oxfordshire cannot be relied upon to fully meet the need for soft sand identified in Policy 2, the Plan also identifies one soft sand site for allocation (Chieveley Services). As the site is within the North Wessex Downs AONB, the Council has carried out an exceptional circumstances test in line with the NPPF to determine that extraction within the AONB is justified (as set out in the Soft Sand Topic Paper). This test has demonstrated that there is a pressing need for soft sand within West Berkshire, and has determined that the alternatives for extraction within the AONB are not sufficient to meet the identified need. It has also been determined that the allocated soft sand site is able to be developed without significant adverse effects on the environment, landscape or recreational opportunities.</del> | Oxfordshire County Council Examination Statement of Common Ground |
| MM16    | 4.43                               | <del>The Council has also identified soft sand areas of search (Figure 3 'Soft Sand Areas of Search') within which permission for soft sand extraction may be granted, provided that the criteria of this policy and all other relevant policies in the Plan are met.</del>   | Oxfordshire County Council Examination Statement of Common Ground |

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|---------|------------------------------|---|---|
| MM17    | 4.40                         | <p><b><u>Due to the fact that in recent years the only deposits of soft sand worked in West Berkshire have been located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB),</u></b><br/> <del>For soft sand</del> the Council commissioned a specific Soft Sand Study to investigate all potential supply options for delivering West Berkshire's identified level of need for soft sand. <del>due to the fact that in recent years, the only deposits of soft sand worked in West Berkshire have been located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB).</del> The Soft Sand Study concluded that the only realistic alternative to providing for extraction within the AONB in West Berkshire, <b><u>as required by the exceptional circumstances test in paragraph 176 of the NPPF,</u></b> would be to supply soft sand from quarries in the south of Oxfordshire. The Soft Sand Study identifies that <del>part of the current</del> <b><u>some of the</u></b> soft sand sales pattern in Oxfordshire comprises supply to West Berkshire, so this would be a continuation of <del>the current this</del> <b><u>the current these</u></b> situation. Therefore, if Oxfordshire were <b><u>to continue</u></b> to make provision to enable <del>the current these</del> <b><u>these</u></b> levels of sales to continue, then it could be inferred that <del>the current these</del> <b><u>these</u></b> movements of soft sand from Oxfordshire to West Berkshire will be able to continue. This would enable at least some of the identified need for soft sand in West Berkshire to be met by imports <del>from Oxfordshire as is currently understood to be the case.</del> <b><u>from Oxfordshire as is currently understood to be the case.</u></b> However, this would rely on a formal agreement with Oxfordshire County Council to make provision for supplying West Berkshire as well as addressing its own requirements.</p> | Oxfordshire County Council Examination Statement of Common Ground |
| MM18    | 4.41                         | <p>Therefore, liaison has been undertaken through the Duty to Cooperate regarding whether Oxfordshire County Council could make provision through their emerging Site Allocations Document to enable current the levels of soft sand supply <b><u>as set out in the Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy and as identified within their Local aggregates Assessment to continue through their emerging Site Allocations Document.</u></b> A Statement of Common Ground has been prepared regarding the arrangement of soft sand supply between the authorities and outlining agreement from Oxfordshire County Council to make provision to enable <del>current</del> <b><u>current</u></b> levels of supply to continue which would enable at least some of the identified need for soft sand in West Berkshire to be met by imports from Oxfordshire, as is currently understood to be the case.</p>  | Oxfordshire County Council Examination Statement of Common Ground |
| MM19    | 4.44                         | <p>It is acknowledged that the one allocated soft sand site is not sufficient to meet the identified requirement for soft sand in Policy 2 'Landbank and Need'. However, it is considered that the Council has undertaken all measures to identify potential soft sand supply options for the District as set out in the West Berkshire Soft Sand Study and Soft Sand Topic paper. The shortfall in soft sand supply of 120,000 - 390,000 tonnes, (6,667 – 21,667 tpa) is expected to be made up from windfall sites <b><u>from the soft sand areas of search and if that does not result in sufficient permissions</u></b></p>   | Oxfordshire County Council Examination Statement of Common Ground |

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|---------|------------------------------|--|--|
|         |                              | <del>to meet the identified requirement, a Statement of Common Ground has been prepared with Oxfordshire which agrees some supply of soft sand. Supply from Oxfordshire.</del>   |  |
| MM20    | 4.47                         | Allocated sites identify areas where <del>planning permission will be granted if the criteria and policies in the Plan are met. There will be a presumption in favour of development.</del> The mineral allocations have been selected as the least damaging potential sites for extraction in terms of the effect on environmental and social sustainability. <del>It therefore, follows as a general principle that outside the allocated sites there will be a general presumption against planning permission being granted unless the additional requirements of the policy are met.</del>  | Oxfordshire County Council Examination Statement of Common Ground                              |
| MM21    | Policy 5                     | <p><del>There will be a presumption in favour of</del> <b>Priority will be given</b> to waste management development proposals (excluding landfill) <del>only</del> in the following areas:</p> <ul style="list-style-type: none"> <li>- Existing sites with permanent planning permission for waste management development; or</li> <li>- Existing sites with permanent planning permission for industrial development (B2 and B8 land uses) or within suitable protected employment areas; or</li> <li>- On previously developed land; or</li> <li>- Agricultural or forestry buildings and their curtilages where they are demonstrated to be redundant; or</li> <li>- In the case of inert waste management facilities, in aggregate quarries and inert landfill sites for the duration of the host facility.</li> </ul> <p>Waste development outside these areas will only be permitted <b>where they meet the other relevant policies in the Plan, in exceptional circumstances</b> <del>and consideration will be given to the proximity of the proposed development to the source of waste arisings.</del></p> <p>The co-location of waste management activities within existing permanent waste management sites will be supported, where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area due to cumulative impacts. Although there is a presumption in favour of development in the areas identified in this policy, proposals must meet the requirements of all relevant policies in this plan.</p> | Oxfordshire County Council Examination Statement of Common Ground Matter 6, Issue 1 (Policy 5) |
| MM22    | 4.56                         | <del>The policy seeks to steer waste development away from greenfield sites, giving</del> <b>The Plan gives priority</b> to existing waste sites, industrial and employment areas, the re-use of previously  | Oxfordshire County Council Examination   |



| Mod Ref | Section / Policy / Paragraph | Change  | Reason  |
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|         |                              | developed land and redundant agricultural and forestry buildings in line with the National Planning Policy for Waste. In the case of inert waste recycling facilities, these often have functional linkages with the restoration of aggregate quarries and inert landfill facilities, and therefore, these are appropriate locations for this type of waste management. Policy 16 'Temporary Minerals and Waste Infrastructure' provides greater detail on this situation. Within the specified areas there will be a presumption in favour of waste management development. However, consideration will also need to be given to all other policies in the plan that are relevant to the development proposal and any other material considerations. | Statement of Common Ground  |
| MM23    | 4.58                         | The main types of waste facility that could be developed in accordance with this policy include, <b>but is not limited to</b> , waste transfer stations, materials recycling facilities, inert waste recycling facilities, energy from waste, Waste Electrical Electronic Equipment (WEEE) waste facilities and scrap metal facilities.   | Oxfordshire County Council Examination Statement of Common Ground |
| MM24    | Policy 6                     | Planning permission will be granted for specialist waste management facilities, including facilities to manage agricultural, <b>equine</b> and hazardous wastes and waste water where:  | Matter 6, Issue 2 (Policy 6)                                      |
| MM25    | Policy 7                     | <p><del>There will be a presumption in favour of Proposals for</del> land filling or permanent deposit of waste <b>only will be permitted</b> in active or planned mineral extraction sites where the restoration of the mineral site requires the use of imported materials to achieve an acceptable restoration and afteruse.</p> <p>Only waste from which no further value can reasonably be obtained shall be landfilled. Proposals for landraising will normally be refused.</p> <p><del>In exceptional circumstances p</del> Permanent deposit of inert material may be permitted where it is an essential element of another beneficial and necessary development proposal.</p>  | Matter 6, Issue 1 (Policy 7)                                      |
| MM26    | Policy 9                     | <p>'Minerals Safeguarding Areas' (MSAs) have been defined which safeguard the following from sterilisation by non-mineral development:</p> <ul style="list-style-type: none"> <li>• Known construction aggregate mineral deposits<sup>29</sup>;</li> <li>• Existing (including those with planning permission yet to be implemented) and allocated</li> </ul>   | Matter 5, Issue 1   |

| Mod Ref | Section / Policy / Paragraph | Change  | Reason   |
|---------|------------------------------|---|--|
|         |                              | <p>mineral extraction sites;</p> <p><b><u>In addition, the following Minerals Infrastructure is safeguarded against development that would unnecessarily prevent or prejudice the operation of the infrastructure:</u></b></p> <ul style="list-style-type: none"> <li>• Potential, planned and existing minerals associated infrastructure, including rail sites and mineral processing plant sites.</li> </ul> <p>Non-mineral development in Minerals Safeguarding Areas <b><u>or affecting Minerals Safeguarded Infrastructure</u></b> may be considered acceptable in the following circumstances:</p>   |  |
| MM27    | 4.90                         | <p>Waste management sites are often perceived by the wider community as a bad neighbour use, which can make finding and developing new waste management sites challenging. In addition the demand for land in West Berkshire is generally very high and the availability of land is often constrained. These factors have the potential to inflate land values, meaning that only high value uses are viable. In addition there is a high level of demand for housing development, which further puts pressure on land. <b><u>The NPPF prescribes that existing businesses should not have unreasonable restrictions placed on them as a result of encroaching development, and that any new development (the ‘agent of change’) should provide suitable mitigation where existing businesses could have a significant adverse effect on the new development.</u></b></p> <p>Safeguarding of waste facilities, where they are viable, is important to ensure the existing permitted sites are retained and not lost or sterilised due to competing land uses.</p> | Matter 5, Issue 2  |
| MM28    | Policy 12                    | <p><i>Exploration and appraisal</i></p> <p>Proposals for exploratory drilling for conventional and unconventional oil and gas will be permitted provided that all of the following are demonstrated:</p> <ul style="list-style-type: none"> <li>• The development site and associated exploratory equipment is not in a location within <del>or in the setting of</del> the North Wessex Downs Area of Outstanding Natural Beauty, other than in exceptional circumstances;</li> <li>• The development site and associated exploratory equipment will not have an unacceptable impact on the environment or community; and</li> </ul>   | <p>Inclusion of ‘Setting’ contrary to NPPF.</p> <p>Additional wording requested by the EA.</p> |

| Mod Ref | Section / Policy / Paragraph | Change  | Reason                                  |
|---------|------------------------------|---|---|
|         |                              | <ul style="list-style-type: none"> <li>The development proposals provide for the timely and high quality restoration and aftercare of the site.</li> </ul> <p><i>Commercial production</i></p> <p>Proposals for the commercial production of conventional and unconventional oil and gas, or for the establishment of related plant, will be permitted provided that all of the following are demonstrated:</p> <ul style="list-style-type: none"> <li>The development site and associated exploratory equipment is not in a location within <del>or in the setting of</del> the North Wessex Downs AONB other than in exceptional circumstances and in the public interest;</li> <li>A full appraisal for the oil and gas field has been completed;</li> <li>The development site and associated exploratory equipment do not have an unacceptable impact on the environment or community; and</li> <li>The proposed location has been demonstrated as the most suitable taking into account all planning considerations.</li> </ul> <p>Particular consideration will be given to the location of hydrocarbon development involving hydraulic fracturing regarding impacts on <u>water quality</u>, water resources, seismicity, local air quality, landscape, noise, traffic and lighting impacts. Development will only be permitted where it can be demonstrated that there would not be an unacceptable impact on groundwater Source Protection Zones (SPZ), Air Quality Management Areas (AQMA), or the local environment or community.</p> <p>In addition, proposals for conventional and unconventional oil and gas development must meet the requirements of all relevant policies in this plan.</p> |   |
| MM29    | Policy 14                    | Proposals for the re-working of old <u>inert</u> landfill sites will only be permitted where all of the following are demonstrated:   | Clarification in line with policy title |
| MM30    | Policy 15                    | <p><del>There will be a presumption in favour of</del> <u>Proposals for</u> permanent construction aggregate infrastructure <u>will be permitted</u> in the following areas:</p> <ul style="list-style-type: none"> <li>Existing sites with permanent planning permission for mineral processing or handling; or</li> </ul>   | Matter 6, Issue 1 (Policy 15)           |

| Mod Ref | Section / Policy / Paragraph | Change  | Reason  |
|---------|------------------------------|---|---|
|         |                              | <ul style="list-style-type: none"> <li>Existing sites with permanent planning permission for industrial development (B2 and B8).</li> </ul> <p>The co-location of construction aggregate infrastructure with existing suitable operations will be supported, where appropriate where it would not result in intensification of uses that would cause unacceptable harm to the environment or communities in a local area due to cumulative impacts.</p> <p>Although there is a presumption in favour of development in the areas identified in this policy all proposals must meet the requirements of all relevant policies in this plan.</p>  |   |
| MM31    | Policy 19                    | <p>Major mineral and waste development proposals within <del>or in the setting of</del> the North Wessex Downs AONB will only be considered acceptable in exceptional circumstances and where it can be demonstrated that it is in the public interest. Consideration will be given to whether:</p> <ul style="list-style-type: none"> <li>There is an overriding need for the development to take place in the proposed location;</li> <li>The need for the development can be met in some other way, or from a site outside the AONB; and</li> <li>Any detrimental impact of the development on the environment, landscape and recreation can be satisfactorily mitigated;</li> </ul> <p>Other minerals and waste development proposals within <del>or affecting the setting of</del> the North Wessex Downs AONB will be considered acceptable only where:</p> <ul style="list-style-type: none"> <li>The proposal is for a small scale facility to meet local needs that can be developed without an unacceptable impact on the environmental and landscape of the area; and</li> <li>The proposals conserve and enhance the natural beauty of the AONB.</li> </ul> <p>Restoration and aftercare proposals should seek to enhance the natural beauty of the AONB.</p> | Inclusion of 'setting' contrary to NPPF   |
| MM32    | New paragraph after 5.25     | <b><u>Development proposals within the setting of the AONB should be sensitively located and designed to avoid or minimise adverse impacts on the AONB.</u></b>   | Provide clarity on development proposals in the setting of the AONB in line with NPPF 2021. |
| MM33    | 5.28                         | There are currently three SACs within West Berkshire:   | Environment Agency Examination Statement of Common Ground                                   |

| Mod Ref | Section / Policy / Paragraph | Change   | Reason  |
|---------|------------------------------|--|---|
|         |                              | <ul style="list-style-type: none"> <li>• Kennet and Lambourn Floodplain – <b><u>which supports one of the most extensive known populations of Desmoulin’s whorl snail in the UK. The conservation objective related to the sites’ designation is to maintain the habitat in favourable condition for the Desmoulin’s whorl snail.</u></b></li> <li>• River Lambourn – <b><u>with good water quality, coarse sediments and extensive beds of submerged plants the river supports Bullhead and Brook Lamprey populations.</u></b></li> <li>• Kennet Valley Alderwoods – <b><u>the woodland forms the largest remaining fragments of damp, ash-alder woodland in the Kennet floodplain. Conservation of the site is dependent upon maintaining a constantly high groundwater level.</u></b></li> </ul>                                      |   |
| MM34    | New paragraph after 5.28     | <b><u>The measures specified in this policy will ensure that the requirements of the Conservation of Species and Habitats Regulations are satisfied in order to protect these internationally designated sites.</u></b>  | Environment Agency Examination Statement of Common Ground |
| MM35    | 5.31                         | Sites of Special Scientific Interest (SSSI) are nationally designated sites which have important wildlife or geological value. There are currently 51 SSSIs within West Berkshire covering 1480 hectares, <b><u>which includes the Rivers Lambourn and Kennet.</u></b>   | Environment Agency Examination Statement of Common Ground |
| MM36    | 5.34                         | The District contains important watercourses such as the Rivers Kennet, Lambourn and Pang. The rivers Lambourn and Kennet are also designated as SSSIs, <b><u>in addition the river Lambourn is designated as a SAC.</u></b> Mineral working in West Berkshire has historically been concentrated along the Kennet Valley where sharp sand and gravel is predominantly found. Riparian corridors create important linkages for biodiversity and therefore mineral working and restoration in these areas have the potential to contribute towards relevant biodiversity enhancements.  | Environment Agency Examination Statement of Common Ground |
| MM37    | New paragraph after 5.39     | <b><u>A buffer zone must be established between a Mineral site and the bank top of a watercourse to protect the river bank and the hydrology of the river. Applicants are likely to need an Environmental Permit from the Environment Agency to quarry or excavate minerals within 16 metres of a main river. Therefore the buffer zone should generally be a minimum 16m for main rivers and smaller (minimum 5m) for ordinary watercourses. This zone should be fenced while the mineral site is active and there must be no mineral extraction and no tracking of vehicles or storage of any materials or plant etc unless the habitat is of low ecological value and the activity will not impact on the river. This zone should be included in the red line boundary and enhanced for biodiversity in the restoration plan.</u></b> | Environment Agency Examination Statement of Common Ground |

| Mod Ref | Section / Policy / Paragraph            | Change  | Reason   |
|---------|---|---|--|
| MM38    | New paragraph after new paragraph above | <b><u>This zone may have to be wider when adjacent to the designated Rivers Kennet and Lambourn if the mineral extraction is likely to have an adverse impact on these rivers, for example if the hydrology was likely to be impacted.</u></b>  | Environment Agency Examination Statement of Common Ground  |
| MM39    | New paragraph after new paragraph above | <b><u>An additional stand-off zone of no extraction but where, for example, tracking of vehicles and the temporary storage of minerals would be allowed, may also be required at certain sites. This is likely to be required to protect designated rivers such as The River Kennet Site of Special Scientific Interest (SSSI) and The River Lambourn SSSI and Special Area of Conservation. The buffer and stand-off zones should be included in the restoration plan, thereby giving opportunities for river restoration and the restoration of the river corridor. These could include the creation or enhancement of wetland habitats and reconnecting the river with its floodplain.</u></b> | Environment Agency Examination Statement of Common Ground  |
| MM40    | New paragraph after new paragraph above | <b><u>Similar buffer/stand-off zones may be required between Waste Sites and watercourses to protect their water quality and hydrology. The width will depend on the specific circumstances, and will be determined as part of the Environmental Permit application.</u></b>  | Environment Agency Examination Statement of Common Ground  |
| MM41    | New paragraph after new paragraph above | <b><u>Regarding other designated sites (e.g. other SSSIs and SACs that are not river sites), for both Mineral Sites and Waste Sites, the specific distance from the designated site should be determined through consultation with NE, taking into account the activity and the sensitivity of the protected site's designated features.</u></b>  | Environment Agency Examination Statement of Common Ground  |
| MM42    | Policy 25 bullet point 3                | Avoiding areas vulnerable to climate change and flood risk through application of the Sequential Test, Exception Test and Sequential Approach <del>where appropriate</del> ;  | Request from EA to strengthen the wording (although not every proposal will require the exception test). |
| MM43    | Monitoring Framework Policy 3,          | <ul style="list-style-type: none"> <li>Total amount of waste managed within West Berkshire for the specified waste streams <b><u>and management type</u></b>.</li> </ul>  | Matter 4, Issue 1  |

| Mod Ref | Section / Policy / Paragraph | Change  | Reason  |
|---------|------------------------------|---|---|
|         | Indicators 1 and 2           | <ul style="list-style-type: none"> <li>Waste management capacity in West Berkshire for the specified waste streams <b><u>and management type.</u></b></li> </ul>  |   |
| MM44    | 4.55                         | <p>No waste sites are to be allocated through the plan as there is sufficient waste management capacity in existing sites which will be safeguarded over the plan period (Policy 10 'Waste Safeguarding'). However, this policy sets out where <del>there will be a presumption in favour of</del> <b><u>priority will be given to</u></b> waste management development. This approach will enable flexibility for sites to cope with changes in waste practices and allow for new and emerging waste technologies to come forward on existing sites and ensure that old technology can be replaced with new and emerging technologies.</p> | Consequential to proposed modifications of Policy 5 |
| MM45    | 4.59                         | <p>Waste developments may be acceptable outside the locations specified in the policy <del>in exceptional circumstances</del> <b><u>where they meet the requirements of other relevant policies in the plan,</u></b> including where facilities are proposed in rural areas. Such facilities would only be acceptable where there is a good relationship between the location of the site and the source of the waste.</p>  | Consequential to proposed modifications of Policy 5 |

*Paragraph numbers will be updated where required.*





## 2. Additional Modifications

| Mod ref | Section / Policy / Paragraph | Change   | Reason  |
|---------|------------------------------|--|---|
| AM1     | All                          | Update paragraph numbers were required.  | Taking into account new paragraphs                            |
| AM2     | All                          | Add table numbers  | Easier identification of tables                               |
| AM3     | All policies                 | Replace policy bullet points with numbers/letters  | Easier identification of policy criteria                      |
| AM4     | 1.9                          | <del>This p</del> Public consultation is being undertaken in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Council's Statement of Community Involvement <u>took place between 4<sup>th</sup> January 2021 and 15<sup>th</sup> February 2021. Comments were invited in relation to matters of Legal Compliance, Soundness and whether the Duty to Cooperate had been met. This version of the Plan represents the document that the Council intends to submit to the Secretary of State for independent examination ('Proposed Submission' version).</u>  | Updated as consultation has closed.                           |
| AM5     | 1.10 – 1.14                  | <p><del>1.10—The consultation will run for 6 weeks from Monday 4th January 2021 until Monday 15th February 2021.</del></p> <p><del>1.11—We are inviting comments during this period on the Proposed Submission Minerals and Waste Local Plan. Comments at this stage should only relate to matters of Legal Compliance, Soundness (whether the Plan is considered to be positively prepared, justified, effective and consistent with national policy in line with paragraph 35 of the NPPF), and whether the Duty to Cooperate has been met. Further information is included in the Representation Form guidance available online.</del></p> <p><del>1.12—You can view the Minerals and Waste Local Plan Proposed Submission consultation document and supporting information online, or at the Council offices on Market Street, Newbury or online at any of the local libraries.</del></p> <p><del>1.13—We would prefer you to make your comments online via our website, however you can also let us know your views by email or post.</del></p> | Paragraphs deleted as plan no longer subject to consultation. |



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|------|---------------------|--|--|
|      |                     | 1.14 — <del>Alternatively, if you would simply like more information on the consultation or help to comment online, please phone and speak to a member of the minerals and waste team.</del>   |  |
| AM6  | Contact details box | Updated web address to <a href="http://info.westberks.gov.uk/mwlp">http://info.westberks.gov.uk/mwlp</a>   | Link to where the final adopted plan will be on the website, rather than the proposed submission version                 |
| AM7  | 2.28                | <b>Neighbourhood Plans (as they emerge)</b> form part of the development plan. Currently there are nine designated areas in West Berkshire with each parish council at a different stage of plan preparation. Of these one has been adopted <u>and one is at examination</u> . Neighbourhood Plans are not permitted to consider minerals and waste development. | Update to NP status  |
| AM8  | 2.37                | Footnote 21 updated: “Minerals and Waste Local Plan <u>evidence base Proposed Submission</u> documents: <a href="http://info.westberks.gov.uk/mwevidencebase">http://info.westberks.gov.uk/mwevidencebase</a>  | Updated reference to link in footnote.   |
| AM9  | 2.37                | Note added to ecological appraisals as follows: <u>* Ecological Appraisals are not routinely published as they contain sensitive information that may be harmful for protected species if it was made available. Can be made available on request.</u>   | To explain that the Ecological appraisals are not available on the website along with the other evidence base documents. |
| AM10 | 4.2                 | The Plan makes provision for a steady and adequate supply of construction aggregates over the plan period through the allocation of sites for mineral extraction sites as well as through encouraging the use of secondary and recycled aggregates.  | Delete repeated word as unnecessary.   |
| AM11 | 4.7                 | The Minerals and Waste Local Plan is accompanied by a <u>Policies map that will setting out, spatially, the various policies in the plan. All mapping information is available on the Council's Interactive Map</u>  | Clarification of where to find the policies map.<br><br><u>Policies Map</u> is a hyperlink.                              |
| AM12 | 4.7                 | Footnote after Policies map added to provide web link to policies map <a href="https://westberks.maps.arcgis.com/apps/webappviewer/index.html?id=fccb053d108f4783aefeb01bb03fb77b">https://westberks.maps.arcgis.com/apps/webappviewer/index.html?id=fccb053d108f4783aefeb01bb03fb77b</a>  | Added foot note for anyone reading a hard copy of the plan.  |
| AM13 | Table at 4.85       | Ensure list of safeguarded sites is up to date   | Ensure lists are as up to date as possible   |
| AM14 | Table at 4.88       | Concrete batching plants that benefits from permanent planning permission  | Typo   |
| AM15 | Table at 4.93       | Add “Type” heading to column 2   | Missing heading  |

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|------|--|--|---|
| AM16 | Table at 4.93                                | Update entry for Colthrop Aggregate Processing Facility:<br>Safeguarded Waste Sites: <del>Colthrop Aggregate processing Facility</del> <u>Colthrop Waste Transfer Facility</u><br>Type: <del>Recycled Aggregate</del> <u>Waste Transfer Station</u>  | Change of ownership and operations  |
| AM17 | Table at 4.93                                | Delete <del>Greenham Business Park Biomass Gasification Plant, Greenham: Biomass Gasification Plant and Wierside, Burghfield</del>   | Planning permission lapsed<br>Waste operations have ceased on site. Likely to be granted permission for change of use.                            |
| AM18 | Table 2 at 4.93                              | Update sewage treatment works table in line with current Thames Water Sewage Treatment Works asset list. Ensure list is in Alphabetical order  | Updated details provided by Thames Water and list in alphabetical order   |
| AM19 | 4.119  | The relative 'value' that can be obtained from re-working an <u>inert</u> landfill site will vary  | Clarification in line with policy title   |
| AM20 | 5.9  | The NPPF (paragraph- <del>204</del> <u>210</u> (h))  | Reference updated to NPPF 2021  |
| AM21 | 5.64   | The Council's Strategic Flood Risk Assessment (SFRA) (2019) sets out details of flood risk for the District taking into account the <del>the</del> most up to date climate change figures. The SFRA provides information for carrying out the sequential and, where required, the exception tests. | Typos   |
| AM22 | 5.64   | Add the following footnote after "...taking into account the most up to date climate change figures..." <a href="https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances">https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances</a>                    | Request from EA to provide additional information on where to get the most up to date climate information   |
| AM23 | Policy 30 Ecology                            | Habitat and Ecological assessments <u>will</u> be required   | Typo (space added)  |
| AM24 | Chapter 7 Monitoring Framework Site Policies | <del>Policy 30: Boot Farm</del><br>Policy <del>30</del> <u>4</u> : Tidney Bed<br>Policy <del>31</del> <u>2</u> : Chieveley Services  | Boot Farm should have been deleted. Is not proposed for allocation in the plan.<br><br>Policy numbers updated to reflect the numbers in the plan. |
| AM25 | Appendix 2                                   | Updates to safeguarded sites tables to take into account changes since publication.  | Ensure lists are as up to date as possible  |

|             |                      |  |   |
|-------------|----------------------|--|---|
| <p>AM26</p> | <p>Policies Map</p>  | <p>Update site area for Grundon Composting facility site (Safeguarded waste site 4).</p> <p>Current map outline</p>  <p>Updated map outline</p>           | <p>Site area on map does not reflect permitted site area (07/00862/COMIND, granted on appeal)</p>       |
| <p>AM27</p> | <p>Table at 4.88</p> | <p>Ensure tables are up to date:</p> <ul style="list-style-type: none"> <li>• Delete <del>Wigmore Lane North, Central, South</del> with <u>Wigmore Lane Rail Depot</u></li> </ul>  | <p>Clarity to ensure that the whole of the Wigmore Lane Rail Depot landholding is safeguarded.</p>      |
| <p>AM28</p> | <p>Policies Map</p>  | <p>Update site area for Wigmore Lane Rail Depot site (Safeguarded Mineral Infrastructure)</p> <p>Current map outline</p>  <p>Updated map outline</p>  | <p>Updated site area following request from Network Rail</p>  |
| <p>AM29</p> | <p>Policies Map</p>  | <p>Delete Wierside and Greenham Gassification Plant from Waste Safeguarded map layer</p>   | <p>Wierside no longer operational.<br/>Greenham Gassification Plant planning permission has expired</p> |

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