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RESPONSES TO JOINT MINERALS & WASTE PLAN CONSULTATION OCTOBER 2018

Waste and Minerals Plan

Every local authority in the country must produce and regularly update a Minerals and Waste Local Plan. Minerals and Waste companies are asked to submit proposals for existing, or new, sites for consideration. The emerging plan goes through several public consultation stages and must be signed off by the Government. Now, the plan is a very early draft.

Page 58 of the Consultation Paper says "6.41 By 2036, the following estimated arisings are expected within Central and Eastern Berkshire:

- 725,000 tonnes per annum (tpa) non-hazardous waste;
- 30,000 tpa hazardous waste; and
- 680,000 tpa inert waste."

There is no justification or explanation for this assertion.

This leads to the proposal of the following policy for which there is no justification:

Policy W3

Waste capacity requirements

Additional waste infrastructure capacity within the Plan area will be granted to provide a minimum of:

- 145,000 tpa non-hazardous recycling capacity;
- 100,000 tpa non-hazardous recovery capacity;
- 33,000 tpa non-hazardous sludge treatment capacity;
- 305,000 tpa of inert recycling or recovery capacity.

Hazardous waste management facilities and non-hazardous waste landfill for residual waste will be supported, in appropriate locations, where there is a clear and demonstrable need.

Star Works

Star Works brick making in the area allegedly dates to the Roman era – and Star Works itself dates back to the 1820s. Grundon bought the site in 1994 – when brick making stopped. However, it is now two separate operations. Landfill and a waste to energy plant for medical waste.

Landfilling started in 1999. No commercial waste has been delivered to this site since April of this year. The site now only imports inert waste (soils and clays) used to restore the site to areas of grassland and woodland. This will be complete by January 2021.

The waste to energy plant has a capacity of some 10,000 tonnes per annum and sorting takes place for an additional 3,000 tonnes per annum which is sent elsewhere.

All the site is in the Green Belt. It has a complicated planning history which needs to be available so that it can inform the Plan. At the moment much of the planning history is unavailable.

The Proposition

“Grundon is promoting the permanent industrial area into the updated Waste Plan, to continue its use as an integrated waste management facility. The landfill area is not included in the promotion, as that is already being restored in line with our planning permission.”

Grundon does not seek to explain what that integrated waste management facility might be or what engineering works or buildings may be required to exercise it.

Grundon seeks to argue that it has had historic permissions to do a variety of industrial applications and that those permissions survived the current permissions that it exercises. “It further argues that historic applications resulted in the site currently generating some 90,000 tonnes equivalent of

lorry movements per year, which is similar to what which was put forward in our submission to the draft Plan. As such no significant change in lorry numbers from the site and onto the local road network is anticipated. “

(in fact, this assertion is wrong as ‘Current capacity c. 80,000 tonnes. Intention is to replace existing capacity with higher uses up in the waste hierarchy with a proposed new capacity of c. 100,000 tonnes per annum.’)

The 80,000 tonnes Grundon currently claim to have include 70,000 tonnes related to the landfill permission which finishes in 2021. Therefore in fact only 10,000 tonnes survive as permitted.

Background

Policy W1 – object - not meeting the test of soundness – failing the positively prepared test and the justification test.

Policy W1

Sustainable waste development strategy

The long term aims of the Plan are to provide and/or facilitate sustainable management of waste for Central and Eastern Berkshire in accordance with all of the following principles:

- a) Encourage waste to be managed at the highest achievable level within the waste hierarchy;
- b) Locate near to the sources of waste, or markets for its use;
- c) Maximise opportunities to share infrastructure at appropriate existing mineral or waste sites;
- d) Deliver and/or facilitate the identified waste management capacity requirements (Policy W3);
- e) Be compliant with the spatial strategy for waste development (Policy W4).
- f) Where W1 (e) cannot be achieved, work with other waste planning authorities to provide the most sustainable option for waste management.

Waste sites should be located well away from residential properties where they have a detrimental impact on the quality of life for residents (as it currently does in Knowl Hill). Based on pollution, noise impacts, pests, safety and vehicle movements. As Knowl Hill is a large residential village in the green belt, waste facilities should not be located near residential properties. The effects of an increase in capacity at the site would be a substantial increase in odours, vehicle noise, light pollution, pests, and importantly the impact on family life on a 24/7 operational basis, which is unfortunately already and currently in place.

There is not a good enough sustainable vision for suitable transport links in the area. The A4 is a known dangerous road with multiple injuries and fatalities over the last 10 years. See <http://www.crashmap.co.uk/search> Any increase in heavy goods vehicles would be an increased and unacceptable health and safety risk to our community. The A4 is more likely to be grid locked affecting residents commuting time if capacity at the Star Works was

significantly increased. The A4 is the main route for traffic when the M4 is out of use as it will be intermittently until 2022.

There is a significant recreational use of the area surrounding the Knowl Hill Star Works which include bridle ways, footpaths, The Chiltern Way, Knowl Hill Bridal Way Circuit and Sustrans Cycle Route; further development would impact considerably on these amenities and activities.

Policy W2 – object – not meeting the test of soundness – failing the positively prepared test and the justification test.

Policy W2

Safeguarding of waste management facilities

All waste management facilities and those which provide a temporary specialist function shall be safeguarded from encroachment or loss to other forms of development.

New waste management facilities will be automatically safeguarded.

Non-waste development that might result in a loss of permanent waste management capacity may be considered in the following circumstances:

- a) The planning benefits of the non-waste development clearly outweigh the need for the waste management facility at the location; and
- b) An alternative site providing an equal or greater level of waste management capacity of the same type has been found within the Plan area, granted permission and shall be developed and operational prior to the loss of the existing site; or
- c) It can be demonstrated that the waste management facility is no longer required and will not be required within the Plan period.

Existing waste sites should not receive any special protection or be automatically safeguarded from other development as this could encourage over landfill use or other waste development in one place. (As is the case in Knowl Hill) this would place undue pressure on one area within the waste and mineral plan).

Waste management will change significantly through technology as they have in the past twenty years. This will make existing facilities and sites redundant and inappropriate.

There is a significant recreational use of the area surrounding the Knowl Hill Star Works which include bridle ways, footpaths, The Chiltern Way, Knowl Hill Bridal Way Circuit and Sustrans Cycle Route; further development would impact considerably on these amenities and activities.

Policy W3 – object – not meeting the test of soundness – failing the positively prepared test and the justification test.

Policy W3

Waste capacity requirements

Additional waste infrastructure capacity within the Plan area will be granted to provide a minimum of:

- 145,000 tpa non-hazardous recycling capacity;
- 100,000 tpa non-hazardous recovery capacity;
- 33,000 tpa non-hazardous sludge treatment capacity;
- 305,000 tpa of inert recycling or recovery capacity.

Hazardous waste management facilities and non-hazardous waste landfill for residual waste will be supported, in appropriate locations, where there is a clear and demonstrable need.

As previously stated there is no justification contained in the consultation to support this assertion. It is quite possible that it will be less or materially different.

Policy W4 – object - Policy W4 – object to Star Works and object to all site proposals following and again– not meeting the test of soundness – failing the positively prepared test and the justification test. Are you seeking a change to the policy? yes Reason for change landscape, habitats and species, transport, greenbelt and amenity impacts.

Policy W4

Locations and sites for waste management

The delivery of waste management infrastructure will be supported within:

1) Allocated sites:

- i. Planners Farm, Brock Hill
- ii. Horton Brook Quarry, Horton
- iii. The Compound, Pinkneys Green, Maidenhead
- iv. Berkyn Manor Farm, Horton
- v. Star Works, Knowl Hill
- vi. Datchet Quarry / Riding Court Farm, Datchet

2) Appropriate locations, where the site:

- a) Has good connectivity to the strategic road network; and
 - i. Areas of major new development; or
 - ii. Sources of waste; or
 - iii. Markets for the types of waste to be managed; and
- b) Is existing or planned industrial or employment land; or
- c) Is previously-developed land or redundant agricultural and forestry buildings, their curtilages and hard standings; or
- d) Is part of an active quarry or landfill operation; or
- e) Is within or adjoins sewage treatment works and the development enables the co-treatment of sewage sludge with other wastes.

Site allocations Star Works, Knowl Hill is not a suitable site for further waste operations due to its location in a village and within 50 yards of residential property.

The potential of further lorries already using a saturated A4 would pose unacceptable health and safety risks for users.

The landfill at Star Works is now in the restoration phase and in the process of being restored back to woodland. Any further development would be detrimental to the village and the landscape (see opposition to policy W2) There was only a need for a landfill in Knowl Hill and a waste facility due to a large hole created from clay extraction from 1994.

Wokingham Borough Council committed to residents that when the landfill was completed that there would never be any further extensions to landfill in Knowl Hill.

Protection of Habitat and Species - Knowl Hill has several protected species including great crested newts and cattails.

Knowl Hill is surrounded by designated important landscapes - Linden Hill Wood is ancient and protected.

Prevailing winds carry unpleasant odours and noise across a wide radius of the site amongst others including: Warren Row, Bowsey Hill and Knowl Hill.

As Knowl Hill is a large residential village in the green belt, waste facilities should not be located near residential properties. The effects of an increase in capacity at the site would be a substantial increase in odours, vehicle noise, light pollution, pests, and importantly the impact on family life on a 24/7 operational basis, which is unfortunately already and currently in place.

There is not a good enough sustainable vision for suitable transport links in the area. The A4 is a known dangerous road with multiple injuries and fatalities over the last 10 years. See <http://www.crashmap.co.uk/search> Any increase in heavy goods vehicles would be an increased and unacceptable health and safety risk to our community. The A4 is more likely to be grid locked affecting residents commuting time if capacity at the Star Works was significantly increased. The A4 is the main route for traffic when the M4 is out of use as it will be intermittently until 2022.

There is a significant recreational use of the area surrounding the Knowl Hill Star Works which include bridle ways, footpaths, The Chiltern Way, Knowl Hill Bridal Way Circuit and Sustrans Cycle Route; further development would impact considerably on these amenities and activities.

Policy W5 – support

Policy W5

Reworking landfills

Proposals for the re-working of landfill sites will only be permitted where all of the following principles are met:

- a) There is no unacceptable risk to human health or the environment;
- b) The proposals would result in beneficial use of the land and of the material being extracted;
- c) There is minimal noise and disturbance during the operation and restoration;
- d) There is timely and high quality restoration and aftercare of the site.

This policy will support Star Works not being expanded

Policy DM1 – object – not meeting the test of soundness – failing the positively prepared test and the justification test. It fails to meet the test of soundness as there should be a presumption away from development in the Central and Eastern Berkshire.

Policy DM1
Sustainable Development

The Central & Eastern Berkshire Authorities will take a positive approach to minerals and waste development that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework (NPPF) and the associated Planning Practice Guidance. The authorities will seek to work proactively with applicants to find solutions to secure development that improves the economic, social and environmental conditions of the Plan area.

Minerals and waste development that accords with the policies in this Plan will be approved, unless material considerations indicate otherwise.

Policy DM3

Protection of Habitats and Species

Minerals and waste development that will contribute to the conservation, restoration or enhancement of biodiversity will be permitted.

Development that is likely to result in a significant effect, either alone or in combination with internationally designated sites including Special Protection Areas, Special Areas of Conservation, Ramsar sites; sites identified to counteract adverse effects on internationally designated sites; and European Protected Species will need to satisfy the requirements of the Habitat Regulations.

The following sites, habitats and species will be protected in accordance with the level of their relative importance:

- a) nationally designated sites including Sites of Special Scientific Interest and National Nature Reserves, nationally protected species and Ancient Woodland (including semi-natural and replanted);
- b) local interest sites including Local Wildlife Sites, and Local Nature Reserves;
- a) habitats and species of principal importance;
- b) priority habitats and species listed in the national and local Biodiversity Action Plans;
- c) trees, woodlands, ancient woodland, aged and veteran trees, and hedgerows; and
- c) features of the landscape that function as 'stepping stones' or form part of a wider network of sites by virtue of a coherent ecological structure or function, or importance in the migration, dispersal and genetic exchange of wild species.

Minerals and waste development likely to result in the loss harm or deterioration of the above sites, habitats and species will only be permitted where it is judged;

1. In proportion to their relative importance (alone or as part of a wider network), that the merits of the development outweigh any likely environmental damage;
2. The development could not be reasonably located on an alternative site that would result in less or no harm to the biodiversity interests; and
3. The development would result in adverse effects to biodiversity, appropriate avoidance, mitigation and compensation measures can be provided.

Policy DM4 – support

Policy DM4

Protection of Designated Landscape

Planning permission for major minerals and waste development proposals adjacent, and within the setting of the North Wessex Downs Area of Outstanding Natural Beauty (AONB), and Chilterns AONB, will be considered having regard to the effect on the purpose of conserving and enhancing the special qualities of the relevant AONB. Consideration of such applications will assess;

- a) The need for the development, including in terms of any national considerations and the impact of granting, or
- b) The impact of permitting, or refusing the development upon the local economy;
- c) The cost of, and scope for meeting the need elsewhere outside the designated area, or meeting the need in some other way; and,
- d) Whether, any detrimental effects on the environment, the landscape and/or recreational opportunities can be satisfactory mitigated, taking account of the relevant AONB Management Plan.

Policy DM5 – support

Policy DM5

Protection of the Countryside

Minerals and waste development in the open countryside will only be permitted where:

- a) It is a time-limited mineral extraction or related development; or
- b) The development provides a suitable reuse of previously developed land; or
- c) The development is within redundant farm or forestry buildings and their curtilages or hard standings.

Where appropriate and applicable, development in the countryside will be expected to meet the highest standards of design, operation and restoration including being subject to a requirement that it is restored in the event it is no longer required for minerals and waste use.

Policy DM6 – support

Policy DM6 Green Belt

Proposals for minerals and waste development within the Metropolitan Green Belt will be carefully assessed for their effect on the objectives and purposes for which the designation has been made. High priority will be given to preservation of the openness of the Green Belt.

Where the proposals do not conflict with the preservation of the openness of the Green Belt, waste management facilities, including aggregate recycling facilities will be permitted where it can be demonstrated:

- a. that the site is the most suitable location in relation to arisings and recycle markets;
- b. there are no appropriate sites outside the Green Belt that could fulfil the same role; and
- c. that suitable mitigation is provided to ensure the development would not cause harm to the objectives and purposes of the Green Belt.

Policy DM7 – support

Policy DM7 Conserving the Historic Environment

Proposals for minerals and waste developments will be required to protect and preserve the historic environment and heritage assets of the Central & Eastern Berkshire Authorities, including both designated and non-designated assets, including the settings of these sites.

The following assets will be protected in accordance with their relative importance:

- a) Scheduled Ancient Monuments;
- b) Listed buildings;
- c) Conservation areas;
- d) Registered parks and gardens;
- e) Registered battlefields;
- f) Sites of archaeological importance; and
- g) Other locally recognised assets.

Minerals and waste development should preserve, and where possible, enhance the character or appearance of historical assets unless it is demonstrated that the need for and benefits of the development decisively outweigh these interests and impacts will be mitigated.

Policy DM8

Restoration of Minerals and Waste Developments

Planning permission for minerals extraction and temporary waste management development will be granted only where satisfactory provision has been made for high standards of restoration and aftercare such that the intended after-use of the site is achieved in a timely manner, including where necessary for its long-term management.

The restoration of minerals and waste developments should reinforce or enhance the character and setting of the local area, and should contribute to the delivery of local objectives for biodiversity, landscape character, historic environment or community use where these are consistent with the Development Plan.

The restoration of mineral extraction and landfill sites should be phased throughout the life of the development.

Policy DM9

Protecting Public Health, Safety and Amenity

Planning permission will be granted for minerals and waste development only where it can be demonstrated that it will not generate unacceptable adverse impacts on the public health, safety and amenity of local communities and the environment.

Minerals and waste development should not:

- a) Release emissions to the atmosphere, land or water (above appropriate standards);
- b) Have an unacceptable impact on human health;
- c) Cause unacceptable noise, dust, lighting, vibration or odour;
- d) Have an unacceptable visual impact;
- e) Potentially endanger aircraft from bird strike and structures;
- f) Cause an unacceptable impact on public safety safeguarding zones;
- g) Cause an unacceptable impact on public strategic infrastructure;
- h) Cause an unacceptable cumulative impact arising from the interactions between minerals and waste developments, and between mineral, waste and other forms of development.
- i) Cause an unacceptable impact on:
 - i. Tip and quarry slope stability; or
 - ii. Differential settlement of quarry backfill and landfill; or
 - iii. Subsidence and migration of contaminants.

Where it is considered that there will be adverse impacts, applicants will be expected to undertake mitigation to ensure an acceptable degree of potential impact.

Policy DM11 – support

Policy DM11

Sustainable Transport Movements

Minerals and waste development will be expected to demonstrate good connectivity for the movement of materials. A Transport Assessment or Statement of potential impacts on highway safety, congestion and demand management will be required.

Specifically, the assessment should explore how the movement of minerals and/or waste within and outside the site will not be detrimental to road safety and would not have an unacceptable impact on the environment or local community and determine whether highway improvements may be required to mitigate impacts associated with increased vehicle movements.

Where minerals and waste development will require significant road transport, the development will be expected to address alternatives to road-based methods of transportation such as rail, inland waterways, conveyors, pipelines and the use of reverse logistics.

Policy DM12- support

Policy DM12

High Quality Design of Minerals and Waste Development

Proposals for minerals and waste development will be required to demonstrate that they will, wherever possible, make a positive contribution to the visual environment and character of the area.

The design of appropriate built facilities for minerals and waste development should:

1. Maximise the re-use or recycling of materials in its construction;
2. Minimise impact on resources;
3. Protect and enhance the character and quality of the site's setting and the contribution to place making in the area; and
4. Protect and, wherever possible, enhance soils and not result in the net loss of best and most versatile agricultural land.

John Halsall & Graham Howe

6th October 2018