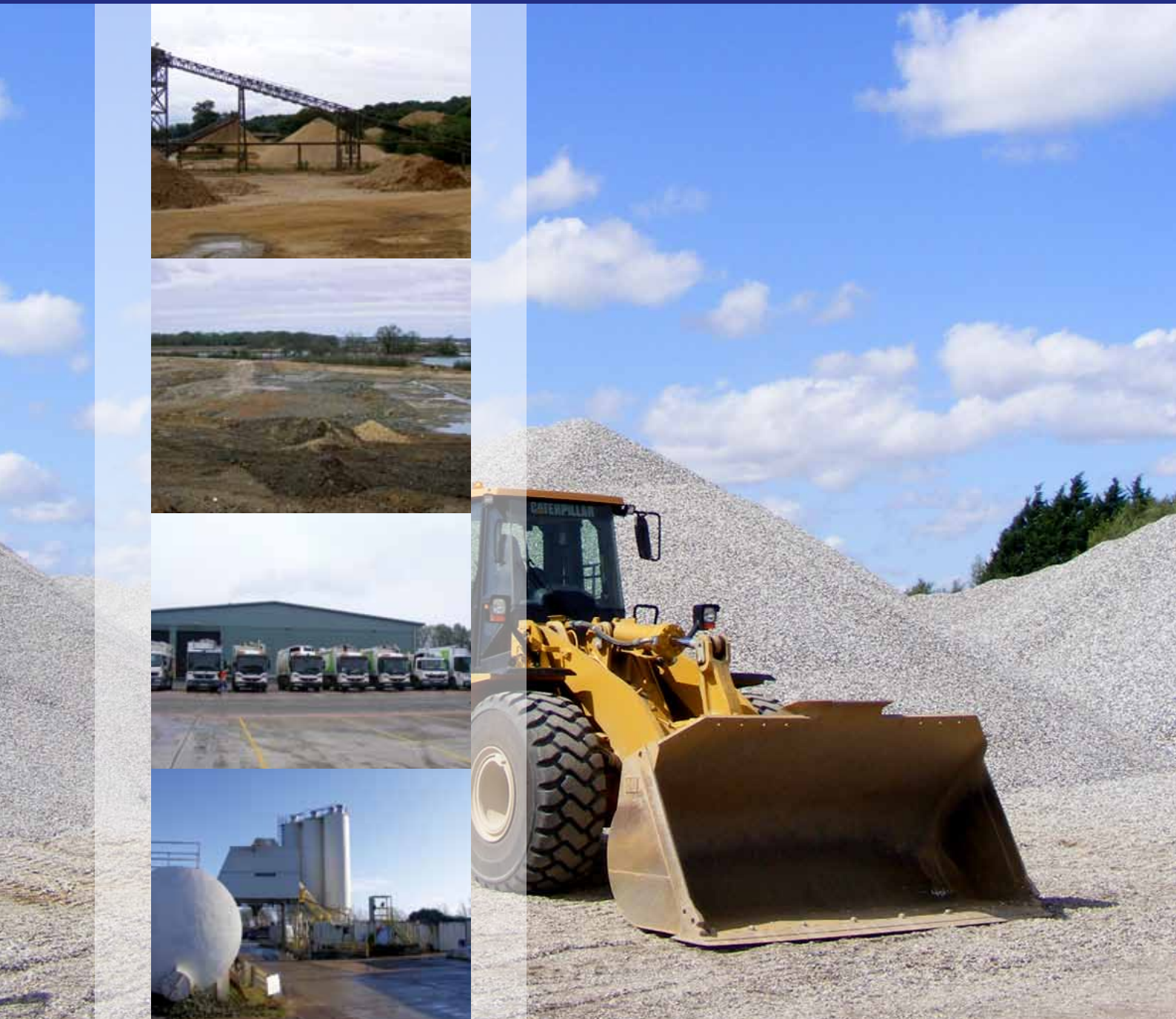


West Berkshire Minerals and Waste Local Plan Soft Sand Topic Paper November 2020

West Berkshire Local Plan



West Berkshire Minerals and Waste Local Plan Soft Sand Topic Paper

1.0 Introduction

- 1.1 The National Planning Policy Framework (NPPF) confirms that minerals are essential to provide the infrastructure, buildings, energy and goods that the country needs in order to support sustainable economic growth. Therefore, the government requires that mineral planning authorities should plan for a steady and adequate supply of construction aggregates including by preparing an annual Local Aggregates Assessment, making provision for (inter alia) land-won elements in mineral plans and maintaining a landbank of at least 7 years for sand and gravel.
- 1.2 Soft sand (also called building sand) is generally fine-grained where individual grains are smooth and well-rounded imparting a relatively soft texture and free-flowing nature; in contrast sharp sand is rough and angular. The two minerals are generally recognised as having separate uses and markets; soft sand is commonly used as a component of mortars, plasters and asphalt and sharp sand is predominantly used in concrete production.
- 1.3 In West Berkshire, sharp sand and gravel is a very recent deposit. It is predominantly found along the Kenner River valley, and also in river terrace deposits, which are the remnants of raised floodplains. Soft sand is much older, and it principally occurs in the Reading Formation, a bedrock deposit outcropping in the higher ground above the Kennet Valley. The Formation is predominantly clay bearing, but also contains sand beds.
- 1.4 Much of the northern area of West Berkshire, where the main deposits of soft sand have historically been worked, lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) as shown in Figure 1.
- 1.5 Some deposits of soft sand also exist outside the AONB, however there has been no mineral working in these areas in recent years and they are also heavily constrained by the built environment.

West Berkshire Minerals and Waste Local Plan

- 1.6 The Council is required by the NPPF to 'plan for a steady and adequate supply of aggregates' including by making provision for (inter alia) land-won elements in mineral plans and maintaining a landbank of at least 7 years for sand and gravel (paragraph 207).
- 1.7 The Council is now preparing the Minerals and Waste Local Plan for West Berkshire, which will replace the Replacement Minerals Local Plan for Berkshire (incorporating the alterations adopted in December 1997 and May 2001), adopted in 1998 (RMLP) and the Waste Local Plan and the Waste Local Plan for Berkshire, adopted in 1998 (WLP).
- 1.8 The emerging West Berkshire Minerals and Waste Local Plan (MWLP) will provide the planning framework for minerals and waste development in West Berkshire until 2037. It will replace the, now dated, RMLP and WLP and set out a new strategy to guide the steady and adequate delivery of minerals and waste sites in the District.

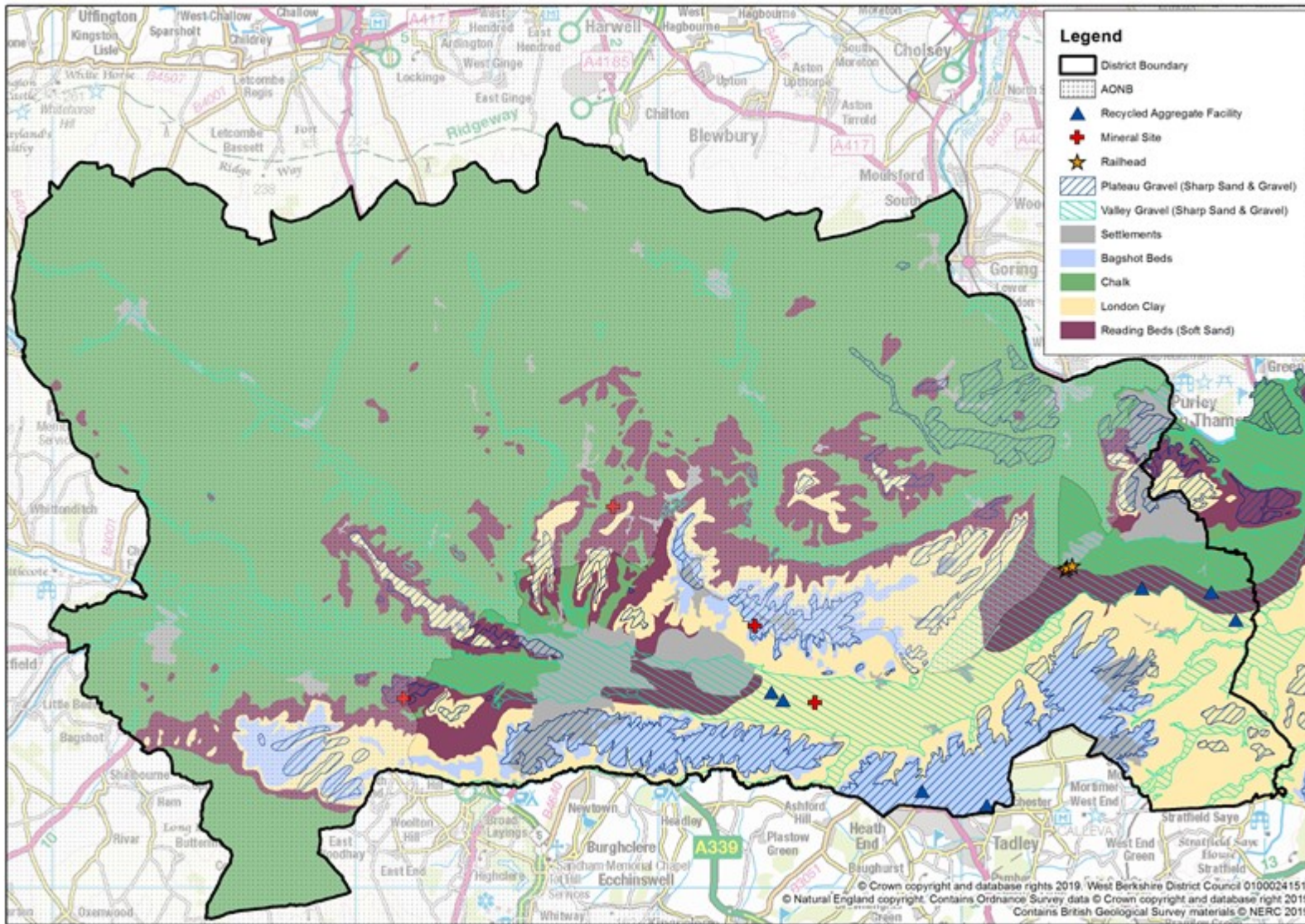


Figure 1: Geology Resources in West Berkshire

2.0 Soft Sand Provision in West Berkshire

- 2.1 Although national policy generally requires maintaining separate provision for aggregate materials with distinct and separate markets, determining the quantum of need for soft sand in West Berkshire has always been a key issue for the authority. Due to confidentiality agreements, the authority has historically been unable to publish sales figures for soft sand separate from sharp sand and gravel, and therefore it has not been possible to estimate a separate level of need for soft sand.
- 2.2 In addition, in recent years, the only deposits of soft sand that have been worked in West Berkshire have been located in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) in particular an outcrop found around Junction 13 of the M4. The NPPF, at paragraph 172 confirms that 'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty', and that planning permission for major development in these designated areas should be refused except in 'exceptional circumstances'. Minerals development is generally accepted as 'major development', although case-law has established that in terms of national policy this needs to be judged on a case by case basis. Paragraph 205 of the NPPF also confirms that as far as practical, mineral planning authorities should provide for the maintenance of landbanks of non-energy minerals from outside (inter alia) Areas of Outstanding Natural Beauty.
- 2.3 The absence of a specific 'need' figure for soft sand and location of the majority of soft sand deposits within the AONB has meant that to date sites for the extraction of soft sand have not been proposed for allocation in the West Berkshire Minerals and Waste Local Plan.
- 2.4 However, the mineral companies which have been involved in extracting soft sand locally have recently indicated that they will forego commercial confidentiality in order that separate soft sand production figures can be published. Therefore, a separate landbank, annual requirement and requirement over the plan period for soft sand can now be determined as part of the authority's Local Aggregates Assessment.
- 2.5 This has shown that the 'landbank' (permitted reserves divided by the annual requirement) for soft sand within the District is 0, as there are currently no permitted reserves remaining. National policy requires that a landbank of at least 7 years is maintained for sand and gravel (NPPF 207(f)). The current lack of a landbank for soft sand indicates a pressing need for additional provision of this mineral, in line with NPPF paragraph 207(e). Approximately an additional 790,000 tonnes of soft sand would be required over the plan period (to 2037) in order to maintain the current annual requirement rate of 43,730 tonnes per annum.
- 2.6 In order to be found sound, the MWLP will need to identify how this shortfall will be provided for over the plan period in order to provide a steady and adequate supply of aggregate minerals as required by NPPF para 207.

3.0 Development of Soft Sand Supply Strategy

Issues and Options Consultation 2014

- 3.1 Consultation on the 'Issues and Options' to be included in the MWLP, in line with Regulation 18 of the Town and Country Planning Regulations 2012 was undertaken in 2014. As part of this, the issue of soft sand extraction was identified, with four options outlined as follows. A summary of responses to these options is also included below. The full response summary document was published in April 2015, and is available at: <https://info.westberks.gov.uk/CHttpHandler.ashx?id=39211&p=0>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sites Consultation 2016

- 3.2 The Issues and Options consultation in 2014 also included a call for sites to be considered for allocation in the Plan. The sites put forward as part of this process were then subject to consultation during the summer of 2016, including three sites nominated for soft sand extraction. Two of these sites are located within the North Wessex Downs AONB (60 Acre Field and Chieveley Services). The third site (Long Lane) lies outside the AONB but has not been assessed as deliverable due to significant access constraints and thus has been excluded from further assessment (see Site Selection Methodology, Appendix 3). The location of the two potentially deliverable sites are included in Appendix A.
- 3.3 A summary of comments on the potentially deliverable soft sand sites from the Sites Consultation is given below. The full response summary document was published in December 2016, and is available at:
<https://info.westberks.gov.uk/CHttpHandler.ashx?id=43160&p=0>

60 Acre Field:

- 3.4 Allocation of this site was generally not supported as some respondents did not consider that exceptional circumstances existed such as to justify working within the AONB. Some respondents also did not consider that there was a need to allocate the site, and that the quantum of need had been overstated. Landscape concerns were also voiced referring to requirements to protect designated landscapes, as well as general concerns about the suitability of the site.

Chieveley Services:

- 3.5 Allocation of Chieveley services was also not generally supported, as exceptional circumstances were not considered to exist. Respondents considered that alternatives such as imports from other areas, adequate supplies outside the AONB, and a falling need for aggregates meant that extraction within the AONB was not justified. Landscape concerns were also voiced in relation to requirements to protect designated landscapes, as well as general concerns about the suitability of the site.
- 3.6 60 Acre Field is anticipated to yield approximately 640,000 tonnes of soft sand, and Chieveley Services is anticipated to yield approximately 400,000 tonnes if landscape buffers are applied. Without landscape buffers Chieveley Services is estimated to yield up to 670,000 tonnes of soft sand. As outlined in paragraph 2.5, the requirement for soft sand to the end of the Plan period stands at approximately 790,000 tonnes. Therefore neither site would be sufficient on its own to meet the total requirement. However, both sites together would exceed the requirement by approximately 250,000 – 520,000 tonnes.

Preferred Options Consultation 2017 and Subsequent Developments

- 3.7 The 'preferred options' version of the MWLP was consulted on from 19th May – 30th June 2017. The Plan did not propose separate allocations for soft sand sites; the reason for doing this at the time was two-fold:
1. Confidentiality agreements with operators prevented the publication of soft sand sales figures, making the quantification of need for soft sand separate from sharp sand and gravel impossible.
 2. The remaining deposits of soft sand with commercial interest lie within the North Wessex Downs AONB, and it was considered that National Planning Policy is broadly against the granting of mineral extraction proposals within such protected areas, unless exceptional circumstances are demonstrated. Availability of alternative sources (outside the AONB and in surrounding areas) were considered to be sufficient evidence that exceptional circumstances did not exist such as to justify allocation within the AONB.
- 3.8 However, since the publication and consultation on the 'preferred options' MWLP, the mineral companies which have been involved in extracting soft sand locally have recently indicated that they will forego commercial confidentiality in order that separate soft sand production figures can be published. Therefore, a separate landbank, annual requirement and requirement over the plan period can now be determined (as detailed in section 2).
- 3.9 In addition, the recent examination of the West Sussex Joint Minerals Local Plan (West Sussex JMLP) explored the issue of whether it is appropriate to include sites within the South Downs National Park (SDNP) as alternatives for mineral extraction.
- 3.10 The West Sussex JMLP submitted for examination proposed one soft sand site to be allocated outside the SDNP, with the remaining reliance being placed on windfall

sites and imports of soft sand from within the wider South East Region. However, the specific source/nature/quantity of these imports was not identified. This strategy would have resulted in an under-provision of soft sand within the plan area over the plan period, with the shortfall anticipated to be made up through imports and windfall sites becoming available.

- 3.11 The reason for adopting this strategy was that the Council did not accept that 'exceptional circumstances' existed that would justify allocating sites within the SDNP (in line with paragraph 172 of the NPPF). The justification for this was due to the fact that there are unconstrained soft sand resources available elsewhere in the South East of England, that could be transported with relative ease.
- 3.12 At the examination of the West Sussex JMLP in September 2017, the Inspector raised two main concerns about the proposed soft sand strategy. Firstly, the Inspector was critical of how the Authorities had interpreted national planning policy on how major development in National Parks should be addressed in plan preparation. Essentially, the Inspector did not agree that mineral extraction within the SDNP was not a 'reasonable alternative' for consideration solely by virtue of its nationally designated status, and that this should have been assessed through the Sustainability Appraisal.
- 3.13 Secondly, the Inspector was concerned that there was insufficient certainty that the shortfall at the end of the plan period would be met through windfall sites and by supply from outside West Sussex.
- 3.14 The Inspector noted among the initial concerns that soft sand had been determined to be of local and regional importance to the economy, and several sites within the SDNP were identified that could be developed without significant adverse impacts on the environment and that would meet the identified shortfall. Therefore the first and third parts of the major development considerations for determining exceptional circumstances, as defined in 172 of the NPPF appeared to be met.
- 3.15 The Inspector did not agree with the Council's view that the second part of the test regarding the availability of sites outside the designated area was not met (i.e. imports from other areas of the South East) as this had not been fully investigated or secured. In other words, it was not shown with certainty that the shortfall in West Sussex could be met from other areas in the South East. Certainty in the Inspector's view related to this provision being made in other mineral planning authorities' development plan documents.
- 3.16 The Inspector also expressed concerns that the West Sussex approach would result in soft sand having to travel long distances, with the associated environmental and sustainability impacts on transport, air quality and greenhouse gases. These would need to be taken into account in any Sustainability Appraisal / Strategic Environmental Assessment.
- 3.17 It was also questioned whether the Council had made all reasonable efforts to identify sites, preferred areas or areas of search outside of the SDNP, but within the authority area. It was acknowledged that the soft sand resource outside the SDNP was more variable in quality. However, National Planning Guidance (PPG) identifies that planning for a steady and adequate supply of aggregate minerals may be undertaken in a number of ways, including through identifying 'areas of search' which are areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply (Paragraph: 008, Reference ID: 27-008-20140306).

4.0 West Berkshire Soft Sand Study

- 4.1 As outlined previously, the approach to planning for soft sand in West Berkshire has not yet included identifying any mineral extraction sites within the AONB. In addition, the two potentially deliverable soft sand sites put forward for inclusion in the Plan (Chieveley Services and 60 Acre Field – see Appendix A) were not assessed as ‘reasonable alternatives’ for mineral provision due to their location within the AONB.
- 4.2 Given the outcome of the West Sussex examination as outlined above, this strategy is not likely to be found sound at examination without further work to assess the suitability of these sites through sustainability appraisal, and an analysis of all other supply options within the authority area and from areas where soft sand could reasonably be expected to travel to West Berkshire.
- 4.3 Therefore, the Council commissioned a specific Soft Sand Study to investigate all potential supply options for delivering West Berkshire’s newly identified level of need for soft sand in order to address the updated information (soft sand requirement) since the publication of the preferred options and consequent deficiencies following the outcome of the West Sussex Examination (sites within the AONB not considered reasonable alternatives).
- 4.4 Building on the three broad themes outlined in the Issues and Options consultation (4.1 no extraction within AONB, 4.2 extraction within AONB, 4.3 extraction within AONB only in exceptional circumstances) and other suggested options, the study investigated the feasibility of five approaches.
- 4.5 The Soft Sand Study came to the following conclusions on the five options:
- 4.6 *Option 1: Allocate specific sites for soft sand, including from within the AONB. Future planning applications would have to pass the exceptional circumstances test in the NPPF.*
- 4.7 The conclusions on this option were:

Two of the three nominated sites within West Berkshire appear to be viable candidates in terms of (jointly) being able to address the identified shortfall of supply, subject to due planning process. However, because these sites are located within the AONB, the NPPF requires that this should be the option of last resort, becoming valid only if and when other options of supplying from locations outside National landscape designations have been thoroughly examined and rejected (thereby demonstrating exceptional circumstances). At present, those circumstances cannot be confirmed, since the option of relying on future supplies from the south of Oxfordshire (Option 2, below) may well prove to be feasible, at least within the short to medium term. Further discussions with Oxfordshire County Council are needed to confirm whether or not such supplies can be relied upon for the duration of the Plan period. If they cannot, then ‘exceptional circumstances’, in the context of the NPPF would appear to exist, and Option 1 may thus provide a valid solution.

- 4.8 *Option 2: Do not allocate specific sites within the AONB – work with surrounding authorities and/or rely on alternative sources (e.g. marine sand) to secure supply.*
- 4.9 The conclusions on this option were:

Subject to further discussions with Oxfordshire County Council, this option has the merit of being able to provide a reliable, practical solution for at least the short to medium term. In order to be fully relied upon, however, there would need to be a formal commitment from Oxfordshire to make adequate provision for supplying West Berkshire as well as addressing its own requirements. Subject to similar provisos, reliance on other LPAs might also be possible but would involve longer transportation distances and associated adverse impacts. These would need to be assessed against the option of working within the AONB by means of a Sustainability Appraisal. Reliance upon marine aggregates would also require a Sustainability Appraisal since, depending on source, these may not provide an adequate substitute for land-won soft sand and would also require longer transportation, with associated adverse impacts.

4.10 *Option 3: Do not allocate specific sites within the AONB - identify preferred areas, or areas of search outside of the AONB.*

4.11 The conclusions on this option were:

Preferred Areas and, more especially, Areas of Search, do not provide the level of confidence offered by Specific Site allocations in terms of maintaining an adequate and steady supply of minerals, in accordance with NPPF requirements. Reliance upon such allocations (only) may therefore weaken the soundness of the Plan and may well be rejected at Examination.

4.12 *Option 4: Combination of options 1 and 3. Seek to allocate the most appropriate specific sites (whether within the AONB or not) and where this is not sufficient to deliver the requirement over the plan period, identify preferred areas or areas of search outside of the AONB.*

4.13 The conclusions on this option were:

As noted for Option 1, this should only be considered if and when other options have been ruled out. If it should prove possible to identify one or more specific site allocations, then the identification of *additional* Preferred Areas and Areas of Search outside the AONB would provide a means of addressing any shortfall over the latter part of the Plan period. The situation would need to be kept under review, however, to ensure that other sites come forward within the required timescale. For this reason, Option 4 may be seen as providing less confidence than either Option 1 or Option 2.

4.14 *Option 5: Do not allocate specific sites in the AONB - identify preferred areas, or areas of search both within and outside of the AONB.*

4.15 The conclusions on this option were:

As noted for Option 3, these do not provide sufficient confidence for maintaining an adequate and steady supply of minerals, as required by the NPPF.

4.16 Essentially the conclusion from these options is that the only realistic alternative to providing for extraction within the AONB in West Berkshire would be to supply soft sand from quarries in the south of Oxfordshire, which would be a continuation of the current situation as understood by relevant mineral operators.

4.17 In addition, the study concluded the following:

'Whichever option is selected, it would be prudent in addition to seek to identify Areas of Search for further exploration of resources within West Berkshire, outside the

AONB. The purpose of doing so would NOT be to rely on them for supply within the Plan period (for the reasons already stated), but rather, to encourage exploration work by mineral operators in the area, which might, in turn, enable proposals for Specific Sites to be brought forward by industry in future years (possibly within or beyond the current Plan period).

In view of the overall shortage of soft sand resources, and in the interests of minimising transport impacts and thereby optimising sustainability, it would also be prudent to allow proposals for extraction within West Berkshire (both within and outside the AONB) to be brought forward and assessed against criteria-based policies. This would allow such proposals to be judged on their individual merits, irrespective of whether or not they have already been identified as allocations within the Plan. A similar approach was adopted recently in relation to silica sand provision within the West Sussex / South Downs National Park Joint Minerals Local Plan.'

5.0 Proposed Supply Strategy for Soft Sand

5.1 As outlined in section 4, the Soft Sand Study has identified that currently the only realistic alternative to providing for extraction within the AONB in West Berkshire would be to supply soft sand from quarries in the south of Oxfordshire, which would be a continuation of the current situation as understood by relevant mineral operators. However, this option would rely on a formal agreement with Oxfordshire County Council to make adequate provision for supplying West Berkshire as well as addressing its own requirements.

5.2 On the basis of the conclusions and recommendations of the study therefore, a new set of options have been considered:

Option A: Do not allocate sites within the AONB – work with Oxfordshire through the Duty to Cooperate to enable total supply to West Berkshire.

Option B: Allocate both sites for soft sand within the AONB.

Option C: Include areas of search and a criteria based policy to enable future applications to be considered. Monitor situation and commit to early review if monitoring demonstrates supply is not being met.

Option D(a): Allocate one site in the AONB (60 Acre Field), and include a criteria based policy and areas of search outside the AONB to enable future applications to be considered. Work to secure some supply with Oxfordshire through the Duty to Cooperate. Monitor situation and commit to review if monitoring demonstrates supply is not being met.

Option D(b): Allocate one site in the AONB (Chieveley Services), and include a criteria based policy and areas of search outside the AONB to enable future applications to be considered. Work to secure some supply with Oxfordshire through the Duty to Cooperate. Monitor situation and commit to review if monitoring demonstrates supply is not being met.

5.3 Option A must be the first option to be investigated, because if Oxfordshire are willing and able to formally supply West Berkshire's total requirement for soft sand, then exceptional circumstances would not exist such as to justify extraction within the AONB.

- 5.4 The adopted Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy acknowledges that the county’s contribution of primary aggregate towards the needs of other areas is a strategic issue, and objective 3.4(iii) recognises the need to ‘make an appropriate contribution to meeting wider needs for aggregate minerals, having regard to the strategic importance of Oxfordshire’s mineral resources, particularly sand and gravel’.
- 5.5 The Oxfordshire Local Aggregate Assessment 2019 reveals that the County’s reserves of soft sand at the end of December 2018 stood at 3.091 million tonnes, which equated to a landbank of 12.72 years based on the LAA 2019 provision figure of 0.243 mtpa. Sales of soft sand were 0.252 mt in 2018, the highest level since 2004. The 10 year and 3 year sales averages also increased to 0.202 and 0.243 mt respectively. This reflects the fact that sales of soft sand in Oxfordshire have increased in recent years. At the same time, West Berkshire has seen a marked decrease in soft sand sales in recent years.
- 5.6 Due to the significant decline in sales of soft sand in West Berkshire in recent years as demonstrated in the West Berkshire 2020 LAA, the market for soft sand in the district must be being supplied from elsewhere. As Oxfordshire is the next closest source of soft sand it is therefore likely that some of this mineral is travelling from Oxfordshire to West Berkshire. In addition, evidence gathered from mineral operators through the Soft Sand Study is that soft sand is travelling from quarries in the south of Oxfordshire to West Berkshire and this has been confirmed by at least one operator of two soft sand quarries in southern Oxfordshire.
- 5.7 It is understood that part of the current soft sand sales pattern in Oxfordshire comprises supply to West Berkshire. Therefore, if Oxfordshire were to enable the provision of the current levels of supply to continue, then it could be inferred that current movements of soft sand from Oxfordshire to West Berkshire will be able to continue. This will 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.
- 5.8 Liaison has been undertaken through the Duty to Co-operate regarding whether Oxfordshire County Council could make provision to enable current levels of soft sand supply to continue through their emerging Site Allocations Document. A Statement of Common Ground has been drafted regarding the arrangement of soft sand supply between the authorities and outlining agreement from Oxfordshire County Council to make provision to enable current levels of supply to continue which would enable at least some of the identified need for soft sand in West Berkshire to be met from imports from Oxfordshire. As a result Option A cannot be pursued, as Oxfordshire have not indicated that they would be able to supply the total soft sand requirement for West Berkshire.
- 5.9 The current situation therefore requires consideration of options B – D outlined above, which apply if Oxfordshire cannot provide for West Berkshire’s total soft sand requirement. These options have all been the subject of sustainability appraisal/strategic environmental assessment (SA/SEA Appendix 4).
- 5.10 In terms of Option B, this would result in an over-allocation of resources within the AONB, as well as significant harm to the AONB due to the landscape impact of allocating 60 Acre Field, and therefore would be the least favourable option. In terms of Option C (allocating areas of search), this option would result in the least security of supply. Option D(a) would result in significant harm to the AONB due to the landscape impact of allocating 60 Acre Field, and therefore, the preferred option is Option D(b),

which allocates the Chieveley Services site, along with a criteria based policy and areas of search for soft sand outside of the AONB to enable future applications for soft sand extraction to be considered. The option also recognises that it may be possible to rely on Oxfordshire for some supply of soft sand. In terms of the options considered in the soft sand study, this option is a combination of options 2 and 4 and in terms of the initial issues and options on soft sand extraction, it is in line with option 4.3. Option D(b) also commits to monitoring and a review of the MWLP if supply is not being met.

Exceptional Circumstances Test

- 5.11 Before Option D(b) can be chosen, it is first necessary to determine whether there are exceptional circumstances such as to allow extraction within the AONB.
- 5.12 The 'exceptional circumstances test' as outlined in paragraph 172 of the NPPF includes an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it on the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 5.13 In terms of these considerations, the following assessment has been made:
- a) In terms of the need for the development of soft sand resources, the West Berkshire Local Aggregates Assessment (2020) has identified that the landbank for soft sand in West Berkshire is well below the required 7 year minimum required in the NPPF, with no current soft sand landbank, indicating that additional reserves of this aggregate are required in line with NPPF paragraph 207 (e) & (f). In addition, in order to plan for a steady and adequate supply of aggregates as required by the NPPF, the Minerals and Waste Local Plan will need to identify an additional 790,000 tonnes of soft sand over the plan period in order to maintain the current annual requirement rate of 43,730 tonnes per annum. This assessment identifies a pressing need for soft sand within West Berkshire.
 - b) In terms of the alternatives for providing for soft sand outside the AONB, the West Berkshire Soft Sand Study has reviewed this issue extensively. It has shown that the only realistic alternative to providing for extraction within the AONB in West Berkshire would be to supply soft sand from quarries in the south of Oxfordshire, which would be a continuation of the current situation as understood by relevant mineral operators. As outlined above, discussion with Oxfordshire County Council has indicated that although they are willing to provide for the higher levels of extraction seen in recent years in Oxfordshire, this would not amount to (and Oxfordshire have indicated that they would not be able to) supply(ing) the full requirement for West Berkshire's need. Therefore, West Berkshire would not be able to rely on this alternative fully.
 - c) The Sustainability Appraisal for the Chieveley Services and 60 Acre Field sites (SA/SEA Appendix 6) have been considered in terms of identifying any detrimental effects on the environment, landscape and recreational opportunities and the extent to which these could be moderated.

For Chieveley services, the main negative impacts identified have been on water quality, landscape, air quality, open space amenity and transport. However, it is acknowledged that mitigation measures could be required to reduce these impacts to an acceptable level particularly including landscape buffers to reduce the impact on landscape. Overall the assessment concludes that the site will have a neutral impact on sustainability, as any negative impacts could be mitigated and would be temporary in nature followed by full restoration of the site.

For 60 Acre field the main negative impacts identified have been on biodiversity, landscape, air quality, open space amenity, tranquillity, noise and transport. In general, the assessment acknowledges that mitigation measures are likely to be able to reduce impacts to an acceptable level and any impacts would be short term in nature followed by full restoration with the exception of landscape. A significant negative effect is predicted on landscape, and even with mitigation measures the site is not considered acceptable for development.

Therefore, one site (Chieveley services) is considered to be acceptable for development in terms of effects on the environment, landscape and recreational opportunities.

- 5.14 The results of this assessment has led the Council to conclude that there are exceptional circumstances that could justify development for soft sand within the AONB.

Chosen Soft Sand Supply Strategy

- 5.15 Given the result of the exceptional circumstances test and options available to the Council, the chosen soft sand supply strategy is Option D(b), which relates to Options 2 and 4 considered in the Soft Sand Study and is in line with Option 4.3 of the initial issues and options. Option D(b) comprises:

Allocate one site in the AONB (Chieveley Services), and include a criteria based policy and areas of search outside the AONB to enable future applications to be considered. Work to secure some supply with Oxfordshire through the Duty to Cooperate. Monitor situation and commit to review if monitoring demonstrates supply is not being met.

- 5.16 Liaison has been undertaken through the Duty to Cooperate regarding whether Oxfordshire County Council could make provision to enable current levels of soft sand supply to continue through their emerging Site Allocations Document. 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 current levels of supply to continue.
- 5.17 In terms of sustainability appraisal, the Chieveley services site has been shown to be the more sustainable option in landscape and sustainability terms. Therefore it is proposed to allocate this as the one site. The landscape work undertaken for the Council has shown that some of the site is not suitable for extraction in landscape terms and therefore landscape buffers should be applied. However, it may be that it is preferable to allow higher levels of extraction in this site in order to better meet the identified requirement, rather than only partially extracting the site and have to rely on other less secure options, or consider allocating another site within the AONB sooner than would otherwise be the case. This would also sterilise some of the deposit at the site. A site specific LVIA will be required to support any planning application that will need to demonstrate the area of the site that is suitable for development in landscape terms. The minimum amount of mineral extraction at the site is expected to be 400,000

tonnes (maximum landscape buffers) and the maximum is 670,000 tonnes (minimum landscape buffers). This equates to a shortfall of 120,000 - 390,000 tonnes, (6,667 – 21,667 tpa), which is expected to be made up from windfall sites and supply from Oxfordshire.

- 5.18 In line with the chosen option, the Council has identified areas of search outside of the AONB but within West Berkshire. Minerals Planning Practice Guidance (paragraph 008: Reference ID: 27-008-20140306) indicates that areas of search are 'areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply'. This directly relates to the situation in West Berkshire.
- 5.19 The areas of search are based on geological information supplied by the British Geological Survey regarding where deposits of soft sand are likely to be located. In West Berkshire these areas are in the bedrock geology associated with the Reading Beds. From these initial areas, the North Wessex Downs AONB, settlement boundaries, towns and villages, the Battle of Newbury registered battlefield and SSSI's have been excluded, as have areas of previous working and areas overlain by superficial deposits of sharp sand and gravel (on the assumption that these superficial deposits would be worked instead of the underlying bedrock). Small pockets less than 3ha have been excluded on the assumption that they would not realistically be worked on their own, as have deposits underlying the Newbury racecourse as this is unlikely to be a reasonable prospect either. The soft sand areas of search are shown in Figure 5.1.

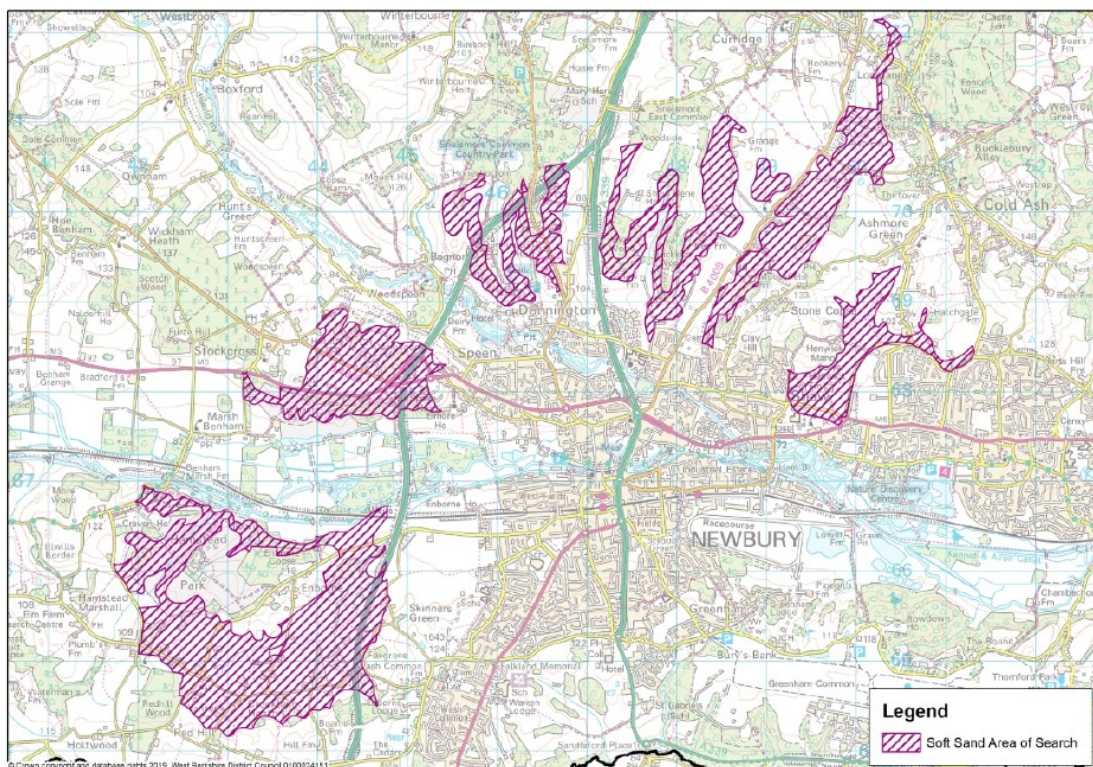


Figure 5.1: Soft Sand Areas of Search

- 5.20 A criteria based policy will also be included within the Minerals and Waste Local Plan to allow proposals for soft sand sites that have not been allocated to come forward where they contribute to meeting the identified need in West Berkshire and meet the specified criteria. This is in acknowledgement that other suitable sites that the Council

are not aware of may come forward over the Plan period and contribute to meeting the identified need in the Plan.

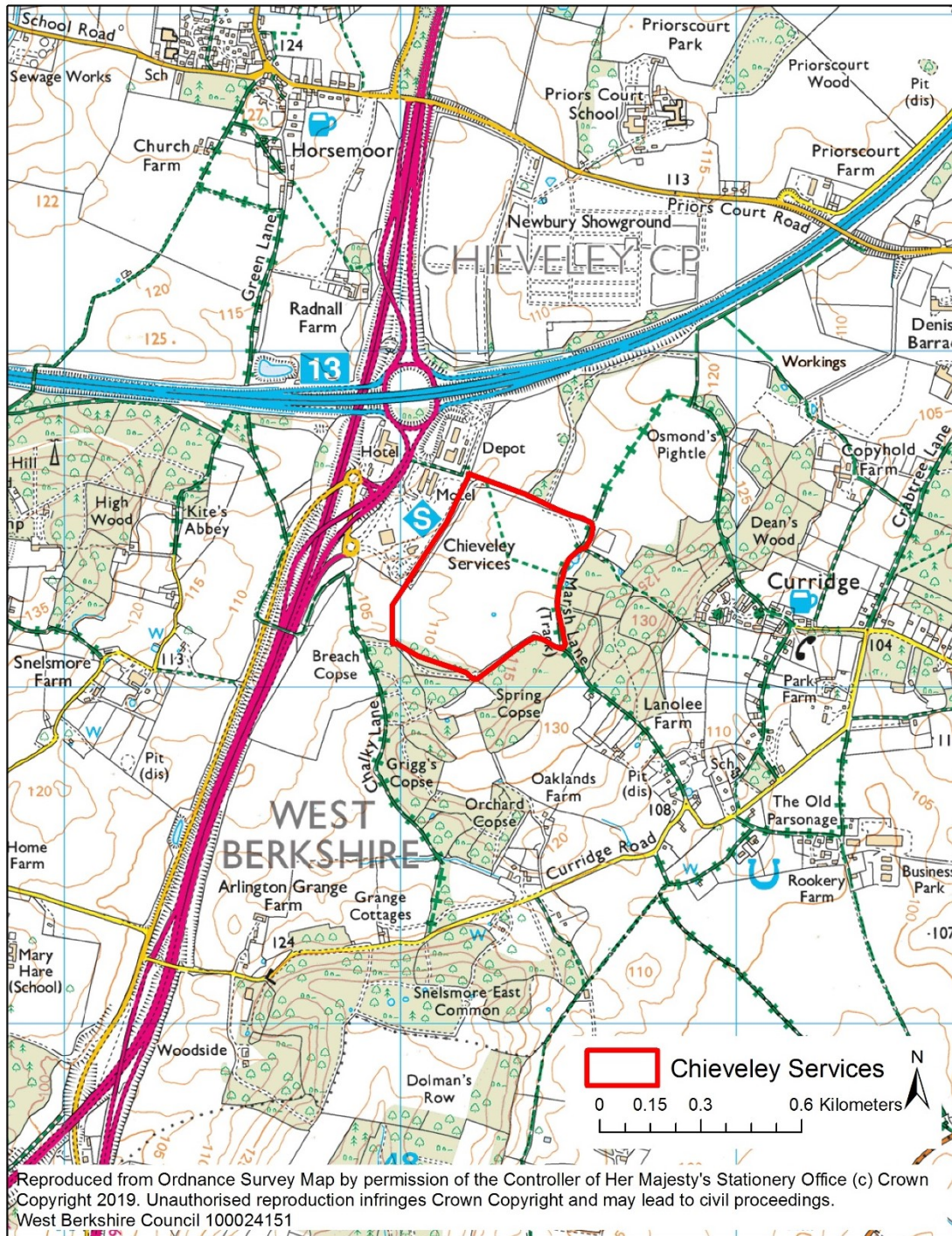
- 5.21 Monitoring indicators will be included in the monitoring schedule to ensure that the supply of soft sand is able to be calculated over the Plan period. Where this is demonstrating that the requirement for soft sand is not being met, then this would trigger a review of the Plan. If supply is not being met, then this would trigger a review of the Plan, and consideration of the options for soft sand supply again.
- 5.22 The Council considers that this is the most appropriate strategy from the available options based on current evidence.

6.0 Sustainability Appraisal

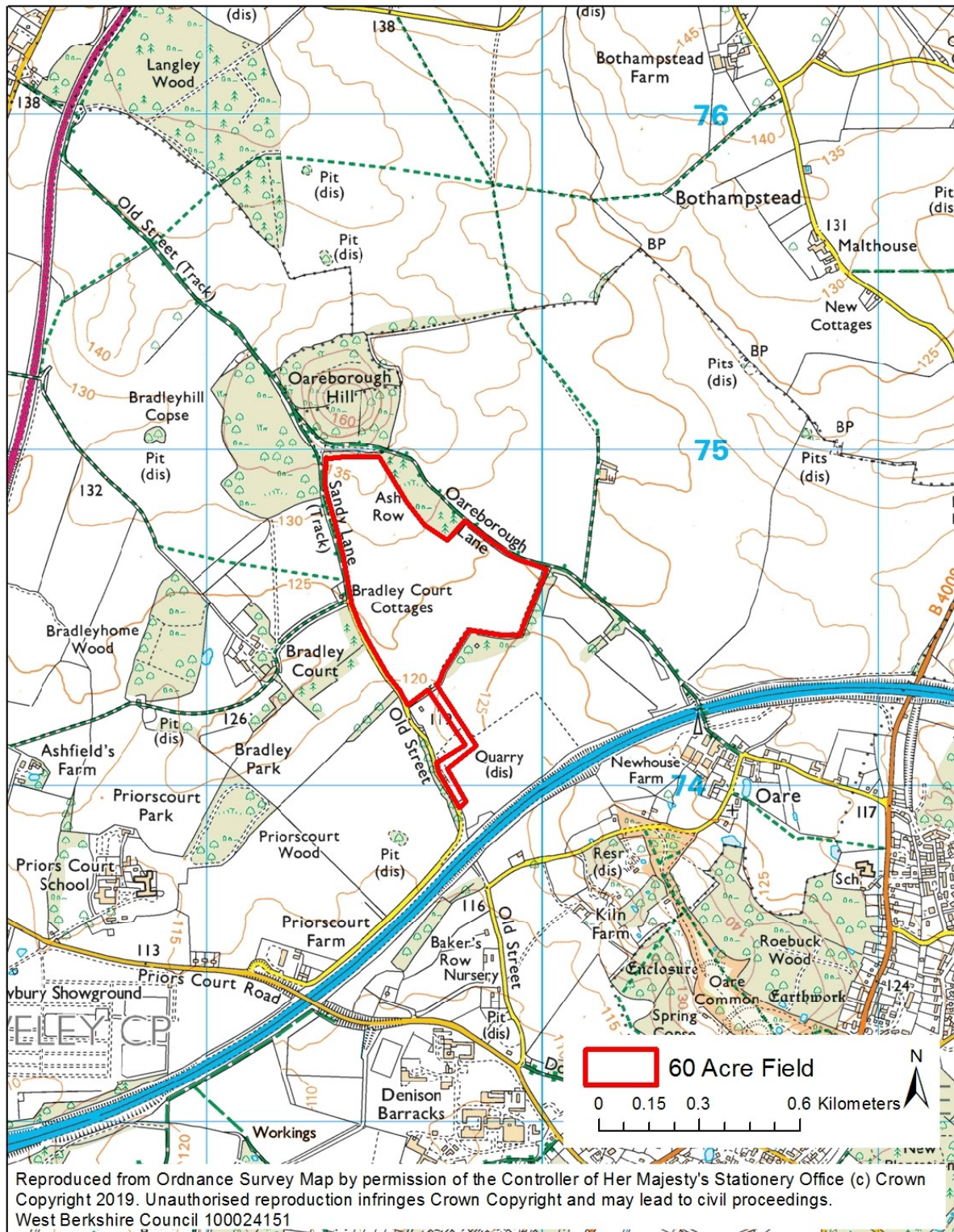
- 6.1 The options for provision of soft sand within the district ('reasonable alternatives') have been assessed as part of the Sustainability Appraisal for the MWLP, and included in the Environmental Report, along with reasons for selecting the chosen strategy and reasons why other options were not taken forward.

APPENDIX A: Potentially Deliverable Soft Sand Sites

Chieveley Services



60 Acre Field



If you require this information in an alternative format or translation, please call 01635 42400 and ask for the Minerals and Waste Planning Policy Team.

**West Berkshire Council
Development and Planning**

Council Offices
Market Street
Newbury
RG14 5LD
T: 01635 519111
F: 01635 519408
E: mwdpd@westberks.gov.uk
www.westberks.gov.uk/mwlpps