



CLAREMONT

PLANNING CONSULTANCY

Central and Eastern Berkshire JMWP
c/o Hampshire Services
Strategic Planning
Hampshire County Council
Elizabeth II Court West
The Castle
Winchester
SO23 8UD

berks.consult@hants.gov.uk

12 October 2020

Dear Sirs,

REPRESENTATIONS TO REGULATION 19 CONSULTATION ON PROPOSED SUBMISSION VERSION OF THE CENTRAL AND EASTERN BERKSHIRE - JOINT MINERALS & WASTE PLAN - EUROPEAN PROPERTY VENTURES LIMITED

Claremont Planning is instructed by European Property Ventures Limited (EPV) to submit representations to the consultation on the Regulation 19 Proposed Submission Version of the Central and Eastern Berkshire Joint Minerals and Waste Plan (JMWP). EPV owns a parcel of land to the north of Churchmead School, Riding Court Road, Datchet, which is located within the Royal Borough of Windsor & Maidenhead and within the geographical remit of the emerging Minerals and Waste Plan. A site location plan, identifying the extent of the EPV site, is enclosed with these representations.

The EPV site extends to approximately 11.25ha and is an undeveloped greenfield site in agricultural use. It is located on the edge of Datchet, between the built-up area of the settlement and the M4 motorway. The site is located opposite an existing sharp sand and gravel extraction site, Datchet Quarry, that is currently operated by CEMEX. The emerging JMWP establishes that the site is located within an 'Area of Search for Sand and Gravel'.

The EPV site at Datchet has been promoted for development over recent years to the emerging Royal Borough of Windsor & Maidenhead Local Plan. The Plan, which is currently at examination, included the site as a mixed-use allocation in the Submission Version of the Plan under allocation reference HA41. The Council has subsequently sought to remove the allocation from the Plan during the Examination, however, these Proposed Changes currently have no formal status and as such, the site still remains an emerging allocation for mixed-use development until the Inspector seeks to endorse the Proposed Changes through the formal process of Main Modifications.

A thorough desk top review of available borehole records on and around the EPV site has demonstrated that there are sand and gravel deposits across the identified site. Rather than seeking to dispute the potential for sand and gravels, taking into account the long established presence of the minerals in the area and history of quarrying; European Property Ventures have instead identified how the minerals could be quarried effectively and alongside any development of the site.

To address this matter constructively and ascertain whether the minerals on site can be mined practically and efficiently, EPV has sought to engage with CEMEX, given its nearby operations, in order to establish whether this site is likely to be suitable for sand and gravel extraction. A letter has been provided by CEMEX, which is enclosed with these representations, confirming that CEMEX anticipates the site to be underlain by approximately 6m of sand and gravel that could be viably extracted. Furthermore, the letter confirms that CEMEX would be interested in undertaking both the extraction and reinstatement of the site on behalf of EPV. The extraction could be carried out at any time as CEMEX have the ability to excavate, sort and store the minerals on its nearby quarry site to shorten the extraction period and ensure the extraction would not be influenced by varying demand in product. Even though CEMEX consider the demand for the material will remain high a consistent level of extraction could be carried out as they can store the material on their nearby site, which provides confidence to EPV that their development proposals would not be affected. CEMEX has also confirmed that it would be preferable to look to undertake the extraction as part of a development proposal, as this would enable the restoration works to be tailored to the future use of the site.

EPV is generally supportive of the emerging JMWP, as set out in the below representations, and recognises the importance of this Plan for the region going forward. In order to ensure that the Plan is found sound and progresses smoothly through the examination process, EPV has identified a small number of policies that should be amended in order to fully accord with the tests of 'soundness' and will ensure that the Plan fully supports the minerals and waste related development activities across the plan period.

Vision and Objectives

The vision and objectives of the JMWP are strongly supported. This includes in particular the objective to protect mineral resources from unnecessary sterilisation by other forms of development, as well as the objective to ensure the restoration of mineral sites is addressed at the beginning of the proposal to enable progressive restoration.

Policy DM5 – Protection of the Countryside

This policy confirms that minerals and waste development in the open countryside will only be permitted where it is time limited; on previously developed land or where it is within a redundant farm or forestry building and their curtilage. The supporting text recognises that the extraction of minerals often takes place on greenfield sites, so in order to ensure that the Plan is sound in terms of being positively prepared the plan should not seek to restrict such development excessively. For example, the authorities should ensure that 'time-limited development' does not excessively restrict operations on the site and result in incomplete extraction that is subsequently sterilised by required restoration activities.

Policy DM6 – Green Belt

It is recognised that there is a requirement the JMWP to seek to preserve the openness of the Green Belt in order to ensure that the policy is consistent with national policy and the provisions of the National Planning Policy Framework. However, in order to be fully justified the policy should be cognisant of the fact that there harm may arise to openness on a temporary basis as a result of the minerals extraction, but this should not preclude any minerals and waste development taking place. Consents for such will be tied to requirements for restoration and control of the condition of the site long-term, ensuring that the impact on openness will be temporary and ensure that long-term enhancements can be secured wherever possible.

Policy DM10 Flood Risk

The policy relates to proposals that are in areas at risk of flooding. It states that the sequential test and exception test should be applied where required, with the most vulnerable development directed to the areas at lowest risk of flooding. However, within this policy it fails to recognise that in the case of sand and gravel working, this activity is defined as ‘*water-compatible development*’ in Paragraph 66 the PPG (Table 2: Flood Risk Vulnerability Classification), and so would not be required to pass the sequential test or exception test. In order to be sound, and specifically to be consistent with the provisions of national planning policy, this policy should be modified to state that this only applies to minerals waste development, excluding sand and gravel working.

Policy M1 Sustainable Minerals Development Strategy

EPV support this in principle, although consider that the policy should recognise that there are likely to be sites where mineral extraction is undertaken as part of a residential or other built development. In these circumstances, extraction must be undertaken prior to development which will influence the timescales for extraction. The authorities should not seek to delay extraction in order to control the supply of materials on these sites as this could delay future redevelopment opportunities necessary to meet housing or other development needs. Seeking to delay extraction would also conflict with the National Planning Policy Framework’s requirement for policies to ensure that worked land is reclaimed at the earliest opportunity which should be taken into consideration in relation to this policy.

Policy M2 Safeguarding Sand and Gravel Resources

This policy seeks to ensure that resources of economic importance are not sterilised by non-minerals development. Whilst EPV is generally supportive of this policy and associated requirement for prior extraction where appropriate, this should not be used as justification for refusing alternative development proposals where evidence demonstrates that extraction would not be feasible or viable.

Paragraph 6.72 identifies a shortfall in supply of sites for sharp sand and gravel during the plan period. EPV’s site at Datchet would contribute to meeting the shortfall, with the enclosed letter from CEMEX confirming the likely amount of resource underlying the site, as well as confirming that it could be viably extracted.

Policy M4 Locations for Sand and Gravel Extraction

EPV support the provisions for new sites not identified in the plan to be supported where they are needed to meet the landbank and to maximise the opportunities to use existing infrastructure and available resources. As identified at the start of this letter, the EPV site is located in close proximity to CEMEX’s existing quarry at Datchet and therefore provides the opportunity to extract additional resources to meet the shortfall, without having any impact on the roads in Datchet and without the need for new significant infrastructure requirements on site.

We trust that these representations are clear and will be taken into consideration as the JMWP progresses through to examination. If EPV or Claremont Planning can assist with providing any further information in relation to the site at Datchet or the comments that have been made please do not hesitate to contact me on the details below.

Yours sincerely,



Katherine Else MRTPI BSc Hons PG Dip
Managing Director



Enc - Letter from CEMEX (Reference 2010_MEW_LCL_Datchet)
Site Location Plan
Borehole Records