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# **Report to Buckinghamshire County Council**

**by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE**  
**an Inspector appointed by the Secretary of State**

**Date: 5 June 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Buckinghamshire Minerals and Waste Local Plan 2016-2036**

The Plan was submitted for examination on 1 June 2018

The examination hearings were held between 24 and 25 September 2018

File Ref: PINS/P0430/429/12

## **Abbreviations used in this report**

AA	Appropriate Assessment
AWP	Aggregate Working Party
AONB	Area of Outstanding Natural Beauty
AVDC	Aylesbury Vale District Council
DtC	Duty to Co-operate
HRA	Habitats Regulations Assessment
LAA	Local Aggregates Assessment
LDS	Local Development Scheme
MM	Main Modification
Mt	Million tonnes
Mtpa	Million tonnes per annum
NPPF	National Planning Policy Framework (March 2012)
NPPW	National Planning Policy for Waste
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
STW	Sewage Treatment Works
TA-SA	Technical Annex – Site Assessments

## **Non-Technical Summary**

This report concludes that the Buckinghamshire Minerals and Waste Local Plan 2016-2036 provides an appropriate basis for the minerals and waste planning of the County, provided that a number of main modifications [MMs] are made to it. Buckinghamshire County Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs were largely proposed by the Council, although I have requested several additional MMs. All the MMs were subject to public consultation over a six week period. However, revisions to MM14 and MM19 were subject to a further six week consultation period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The purposes of the recommended Main Modifications can be summarised as follows:

- Revising the approach to secondary and recycled aggregates to ensure a steady and adequate supply;
- Ensuring that the supply of sand and gravel is in accordance with the information provided in the prevailing Local Aggregate Assessment (LAA);
- Revising the calculation of waste capacity needs to reflect the updated information on London's waste exports as set out in the Draft London Plan;
- Revising the Spatial Strategy for Waste Management;
- Ensuring that the policy for minerals and waste development in the AONB is consistent with the NPPF;
- Providing more support for waste management development in the south of the county;
- Deletion of superfluous appendices;
- Amending the Development Management Policies;
- Revising the Implementation and Monitoring chapter of the Plan to include key factors to consider in relation to its review.

These MMs do not significantly alter the thrust of the overall strategy.

## Introduction

1. This report contains my assessment of the Buckinghamshire Minerals and Waste Local Plan 2016-2036 (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (paragraph 182) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Buckinghamshire Minerals and Waste Local Plan 2016-2036, submitted in June 2018 is the basis for my examination. It is the same document as was published for consultation in March 2018.

## Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs, has revised the Sustainability Appraisal (SA) to reflect the MMs and produced an addendum to the SA. The MM schedule was subject to public consultation for an initial six weeks and a further six weeks in relation to MM14 and MM19. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken.
6. The Council has also put forward a number of minor amendments and corrections, described as Additional Modifications (AM), that do not address matters of soundness. Therefore, I make no formal recommendations concerning them.

## **Policies Map**

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Buckinghamshire Minerals and Waste Local Plan 2016-2036 Policies Map as set out in Examination Document Ref 301.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Plan.

## **Assessment of Duty to Co-operate**

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. When preparing the Plan the Council is required to engage constructively, actively and on an on-going basis with a range of local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation with regard to strategic, cross-boundary matters.
10. Details of how the Council has met this duty are set out in the *Duty to Co-operate Statement of Compliance* (Ref 613), the *Statement of Consultation and Engagement* (Ref 611) and the Council's written responses to pre-hearing questions. These documents set out where, when, with whom and on what basis co-operation has taken place over all relevant strategic matters.
11. The evidence demonstrates that the Council has worked closely with neighbouring minerals and waste authorities, as well as some further afield where a strategic relationship was identified, the relevant South East Aggregate Working Party (AWP), the South East Waste Planning Advisory Group and relevant statutory bodies throughout the plan-making process.
12. Also evident is the effective relationship the Council has established and maintained with all of the relevant bodies listed in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). In addition, consultation has taken place with a wide range of organisations and bodies as part of the formal consultation process. It is clear that many of the pre-submission changes to the Plan that were brought forward by the Council were as a result of consultation with relevant parties to address their concerns in a constructive and active manner.
13. It should be emphasised that the DtC is not a duty to agree. Consequently, it is quite possible for it to be complied with, but for there to be outstanding matters between the Council and other bodies. However, those matters do not lie with the DtC but with the content of the Plan which is addressed elsewhere in this report. Those disputes may relate to matters regarding the soundness of the Plan, but an unresolved dispute is not evidence of a failure in the DtC.

14. A particular concern was that there has been inadequate engagement between Councils to meet the requirements of the DtC, in particular, to a perception that waste management uses have the potential to displace existing business and industrial uses on employment sites allocated in local plans. However, this matter is of a technical nature rather than a failure of the DtC and is addressed elsewhere in this report.
15. Overall, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

## **Assessment of Soundness**

### **Main Issues**

16. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Whether the Vision and Strategic Objectives are the most appropriate, are soundly based and provide an appropriate basis for meeting the future demand for minerals and managing waste sustainably.**

17. The vision and strategic objectives, informed by the underpinning Sustainability Appraisal (SA), sets out the spatial vision for minerals and waste development in the County and provides an appropriate basis that guides the policies of the Plan. The strategic objectives of the Plan broadly follow on from the Vision.
18. The need for a steady and adequate supply of minerals to be maintained is set out in Strategic Objective SO1 (SO1). In this regard SO1 is generally compliant with the policies of the NPPF in relation to the supply of aggregates and non-aggregate minerals. However, there is some conflict within SO1 with regard to the balance between primary minerals and the contribution to be made by aggregates recycling and the use of alternatives to primary minerals (recycled and secondary aggregates).
19. SO1 seeks to ensure the identification of sufficient land for sand and gravel extraction so that a steady and adequate supply of these minerals can be maintained over the plan period. However, SO1 also seeks to reduce the reliance on primary minerals by increasing the contribution made by recycled and secondary aggregates. The Plan does not identify the extent to which the reliance of primary won minerals is to be reduced. The calculation of future demand for sand and gravel, which is addressed elsewhere in this report, is based on sales from existing primary sites. Future provision is also identified to be achieved through sites producing primary won sand and gravel and excludes the contribution to be made by recycled and secondary aggregates.
20. The extent to which recycled and secondary aggregates contribute to future provision is not defined. The extent to which primary won sand and gravel supply may be displaced by recycled and secondary aggregates is also not defined. Consequently, in order for the Plan to be effective modification **MM1**

is necessary which substitutes a revised form of words in SO1 by the removal of reference to the reduction in the reliance of primary minerals and seeks to maximise the contribution to be made by recycled and secondary aggregates.

### **Conclusion on Issue 1**

21. Subject to the identified modification, I am satisfied that the Vision and Strategic Objectives reflect the most appropriate strategic approach for the Plan's administrative area and I find this part of the Plan to be sound.

### **Issue 2 - Whether the Plan makes adequate provision for the steady and adequate supply of aggregate minerals.**

22. The NPPF looks to Mineral Planning Authorities to plan for a steady and adequate supply of aggregates and industrial minerals. The Plan identifies that the most significant mineral resources within the County are sand and gravel. The County is not currently a producer of crushed rock. There are no permitted crushed rock extraction sites in the County and none are proposed in the Plan.

#### *Sand and Gravel Provision*

23. The quantity of sand and gravel required in the Plan period has been estimated on the basis of the average of 10 year sales (2006 – 2015). This is consistent with the approach set out in the NPPF, which says that an annual Local Aggregates Assessment (LAA) shall be prepared based on a rolling average of 10 year sales and other relevant local information. The period covers the latest 10 years for which published data is available, which included periods of both economic growth and recession.
24. The average annual sales of sand and gravel (measured over 10 years) is 0.81 Million tonnes per annum (Mtpa) which gives a total requirement over the plan period of 17.01 Million tonnes (Mt). All of the sites that have contributed towards the identified ten-year period are located within the Thames and Colne Valleys which constitute the primary focus area for future sand and gravel provision. The permitted reserves at the start of the plan period (1 January 2016) were 9.04Mt. Therefore there is a shortfall in provision over the plan period (to 31 December 2036) of 7.97Mt.
25. In order to provide some availability of sand and gravel resources in the north of the County, the Plan seeks to identify a separate provision rate for the Great Ouse Valley which is defined as a secondary area of focus. The *Briefing Paper on Minerals Provision* (Ref 403) sets out in more detail the rationale for this approach. In order to minimise the transportation of sand and gravel in the County and reduce the reliance on imported minerals from sites outside the County I consider that this is an acceptable approach. However, resources in the north are not as consistent in quality and thickness in comparison with the resource in the primary focus area.
26. Although there are no ten year sales figures for the secondary area of focus to base a provision figure on, sand and gravel extraction does occur in the wider Great Ouse Valley outside the County. The trend from the production of sand and gravel within the wider Great Ouse Valley has been used to determine the required provision from the secondary area of focus to assist in meeting the

demand in the north of the County. The calculation basis is set out in the *Briefing Paper on Minerals Provision* (Ref 403) and indicates that the annual provision rate for the Great Ouse Valley is 0.12Mt for the plan period giving a total provision of 2.52Mt.

27. Policy 3 confirms that provision will be made over the plan period for the extraction of 0.81Mtpa of sand and gravel for the primary focus area and 0.12Mtpa from the secondary focus area. The total provision to be made for sand and gravel over the plan period from both the primary and secondary areas is 0.93Mtpa (0.81+0.12), or 19.53Mt (17.01+2.52), of which 10.49Mt (19.53-9.04) needs to be identified through the Plan.
28. As a consequence of the need to balance the provision of sand and gravel throughout the County by the inclusion of the secondary area of search, the planned annual provision of 0.93Mtpa exceeds the average annual supply of sand and gravel (measured over 10 years) of 0.81Mtpa from the primary area of focus. Furthermore, if the secondary area of focus was not identified as a future source of sand and gravel supply and reliance remained on the primary area of focus, the County would have sufficient sand and gravel reserves to meet the current identified need throughout the plan period based on the ten year sales figures within the County.
29. However, given that the provision of resources in the north of the County would have some benefit in reducing the need to transport sand and gravel from the south, I consider this to be an acceptable approach in terms of sustainability.
30. So far as the use of substitute, recycled and secondary materials is concerned, the substantive evidence in the LAA (Ref 423-425) does not indicate that any reduction in the provision figures from land won sand and gravel is necessary. I have not read or heard any evidence to suggest that these alternative sources will significantly substitute for land won aggregates in the short term and result in a need to revise downwards the amount of sand and gravel provided for in the Plan.
31. Policy 7 of the Plan sets out a criteria based approach for suitable locations for facilities for the provision of secondary and recycled aggregates. In order for the Plan to be effective, **MM6** proposes an additional criterion requiring that where such proposals are not within an area of focus for waste they should integrate and co-locate with complementary activities or maximise the use of previously developed land or redundant agricultural and forestry buildings and their curtilages.
32. The question arises of whether there would be a possible increase in demand for sand and gravel resources over the plan period due to the likelihood of increased economic growth in the region, particularly in relation to the proposed Heathrow expansion and the Oxford-Milton Keynes-Cambridge Growth Corridor projects.
33. Currently there is no robust quantitative evidence of the amount or timescale of any potential uplift in the demand for sand and gravel supply that may be required to meet the construction needs of these projects. Without dismissing the possibility of significant future growth in the region, I consider that the annual LAA should be able to identify the consequences and impact there



might be on sand and gravel resources, reserves and landbanks and whether a review of the Plan would be triggered earlier than might otherwise be the case. Consequently, at this time I see no convincing reason to depart from the advice that 10 years sales data should be the basis of future aggregates supplies to be provided for in the Plan.

34. Furthermore, Policy 5 of the Plan provides general development principles for mineral extraction from unallocated sites. Subject to compliance with other relevant policies in the plan, this policy provides a degree of flexibility to enable the consideration of sand and gravel development proposals on unallocated sites that are necessary in order to maintain an adequate supply in accordance with the Plan provision rates, the maintenance of the landbank and with regard to the prevailing LAA.
35. Therefore the annual provision of 0.81Mt of sand and gravel from the primary area and 0.12Mt from the secondary area is sound. However, the Plan needs to ensure that a steady and adequate supply throughout the plan period is in line with the prevailing LAA. Therefore, in order for the Plan to be effective, **MM4** requires an addition to Policy 3 that seeks to ensure that a steady and adequate supply is in line with the prevailing LAA. Subject to this amendment I consider that the Plan makes adequate provision for sand and gravel over the plan period.

#### *Allocated sites for Sand and Gravel Provision*

36. Policy 4 identifies 7 allocated sites for the future extraction of sand and gravel from the primary focus area (Thames and Colne Valleys) which are expected to bring forward approximately 8.3Mt by the end of the plan period against the target of 7.97Mt from this area. The sites allocated under Policy 4 aim to provide continuity to existing operations which can maximise the use of existing processing and related infrastructure. During the call for sites process one site (Hydelane Farm) came forward in the secondary area of focus which is expected to deliver 1Mt over the plan period.
37. The preceding text to the Policy in paragraphs 4.44 to 4.57, provides a commentary on the planning status and contribution that each site would make towards meeting the target. However, the Plan does not reflect the current planning status of Slade Farm North. Therefore, **MM5** proposes a change to paragraph 4.51 to reflect the fact that the Slade Farm North was granted planning permission in February 2018, subject to the completion of a planning obligation. This MM is necessary in order to ensure that the Plan reflects the current planning status of the site.
38. Each of the allocated sites is shown in detail on the Inset Maps in Appendix 4 of the Plan and were assessed, along with other potential sites, in the *Technical Annex – Site Assessments* (Ref 400) (TA-SA). The assessment process initially comprised a Stage 1 Screening Assessment in order to determine consistency with the emerging Plan vision, objectives and spatial strategy. The purpose of which is to determine general conformity with the emerging planning policy approach, identify major constraints and confirm deliverability.

39. A number of other assessment criteria were also evaluated, including compliance with the Plan's vision and objectives, deliverability and environmental considerations. Sites/locations that were not in general conformity with these criteria (as they would be unlikely to support delivery of the plan) were not taken forward to a more detailed Stage 2 Desktop Assessment. This involved the assessment of the sites/locations against environmental, social and economic criteria (based on the SA objectives).
40. The question arises whether two sites, Mansfield Farm and Rowley Farm, which were discounted in the Stage 1 Screening Assessment, should be added to the allocated sites in Policy 7. These are identified in the TA-SA as standalone sites and would not be extensions to an existing operational quarry.
41. The TA-SA identifies both sites as being potentially suitable sites in the longer term. However, I have taken into account my conclusion on the annual provision identified in the Plan, the fact that allocations in Policy 4 can meet the expected demand from the primary area of focus over the plan period and that both sites are considered to be new standalone facilities. These are all factors that lead me to conclude that there is no compelling evidence to suggest that these sites need to be added to the list of allocated sites in Policy 4.
42. Nothing I have read in the representations or heard in the discussions at the examination hearings persuade me that these sites should be allocated in preference to those within Policy 4. Furthermore, should future evidence in the LAA indicate that additional provision of sand and gravel is required, Policy 5 would enable the consideration of development proposals on these unallocated sites in order to maintain an adequate supply.
43. The question also arises whether the Richings Park Golf Club site should be allocated as an alternative to the western North Park extension. This is a consequence of the potential impact of proposed construction work for the Western Rail Link to Heathrow on the availability of the North Park extension. This project link was subject to consultation in May 2018 and after the closure of the consultation period on the Proposed Submission Plan. Consequently, the suggested allocation was not considered in the TA-SA.
44. The statutory process to progress the rail link would require a Development Consent Order (DCO) which is likely to be subject to be submitted in mid-2019. Therefore, the suggested allocation is effectively a new site that is being proposed late in the plan making process which has not been subject to any technical evaluation or subject to any public consultation. Moreover, the application for a DCO has not yet been submitted and the extent to which this may take into account the effect on the potential western North Park extension cannot be known with any degree of certainty.
45. Should the potential rail link have a detrimental effect on the extraction of minerals from the western North Park extension to the extent that the provision of sand and gravel over the plan period would be prejudiced, Policy 5 would enable the consideration of development proposals on the unallocated Richling Park Golf Club site in order to maintain an adequate supply. Given the potential uncertainties that exist regarding the proposed rail

link and the fact that the suggested site has not previously been considered and evaluated, I do not accept that the Plan should be modified to include this site.

46. The Hydelane Farm site might give rise to unacceptable impacts on traffic, landscape character, heritage and possible conflicts with the restoration of the Buckingham Arm of the Grand Union Canal. However, the site assessment criteria in the Stage 2 evaluation of the TA-SA considered these, and other environmental impacts, and the relationship of the site to the Grand Union Canal.
47. Whilst these concerns would be considered in more detail should a planning application be submitted, I have read no substantive evidence to suggest that the potential impacts may be incapable of mitigation or that a potential conflict with the restoration objectives of the canal would occur. Moreover, Policy 26 (Delivering High Quality Restoration and Aftercare) of the Plan specifically requires, amongst other things, that restoration of sites located in the Great Ouse Valley should support the Buckingham Canal Restoration.
48. The Plan identifies that the combined provision of sand and gravel over the plan period from the primary and secondary areas is 10.49Mt. The allocated sites would bring forward 9.3Mt over the plan period giving a shortfall of 1.19Mt. Although the Plan identifies a slight shortfall in sand and gravel provision, this is as a consequence of the inclusion of the secondary area of focus and I have already agreed with the benefits of this approach.
49. However, the allocated sites within the primary area of focus can meet the current identified need for sand and gravel in the County based on the average of 10 year sales (2006 – 2015) of 0.81Mtpa and in this respect the Plan is sound. The inclusion of the secondary area of focus has sustainability benefits and provides some flexibility in future supply. Although this inclusion has the effect of increasing the annual requirement to 0.93Mt, this does not alter the fact that the supply from the primary area of focus alone would meet the current identified need.
50. Without dismissing the possibility of significant future growth in the region, there is insufficient conclusive evidence to justify an uplift in sand and gravel requirement at this time. I consider that the LAA should be able to identify the consequences and impact there might be on sand and gravel resources and reserves and inform the Implementation and Monitoring Framework set out in Section 8 of the Plan. This would help to identify any changes needed to policies if targets are not being met and assist in ascertaining if there is a need to review the Plan in the event of inadequate supply.
51. Policy 5, which provides general development principles for mineral extraction from unallocated sites, provides the flexibility to enable the consideration of sand and gravel development proposals that may be necessary to maintain an steady and adequate supply. Overall, I consider that the Plan is sound with regard to the allocation of sites for sand and gravel aggregate provision.

### *Sand and Gravel Landbank*

52. National guidance does not state that plans have to allocate sites to generate a 7 year landbank at the end of the plan period. Acceptable alternative approaches are to have an enabling policy that allows unallocated sites to come forward to ensure an adequate supply is maintained should the landbank be likely to reduce below the 7 year period or to undertake a review of the Plan.
53. Policy 5 allows non-allocated sites proposals for sand and gravel to come forward where, amongst other things, they are required to maintain the landbank with reference being made to the prevailing LAA. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 requires that a review of a local plan must be completed every five years, starting from the date of adoption of the local plan.
54. The commitment to maintain a 7 year landbank is clearly set out in Policy 3. The Plan does not propose to allocate sites beyond the plan period. However, adequate provision is made in the Plan, in particular by Policies 3 and 5, and subject to the statutorily required review of the Plan, or as considered necessary as a consequence of the Annual Monitoring Report (AMR), to demonstrate that adequate provision is made to maintain a 7 year landbank. Consequently, the Plan is sound in the way that it has dealt with the required need to maintain a landbank for sand and gravel equivalent to at least 7 years supply.

### **Conclusion on Issue 2**

55. I am satisfied that the Plan, when considered with the recommended MMs makes adequate provision for the steady and adequate supply of sand and gravel and is fully justified by the evidence and is soundly based.

### **Issue 3: Whether the objectives of Mineral Safeguarding Areas (MSAs) suitably balance the needs of competing development.**

56. Strategic Objective S02 includes a commitment to ensure that minerals of local and national importance within Buckinghamshire are protected from development that would prevent their future use. This is consistent with paragraph 143 of the NPPF. Policy 1 of the Plan provides the mechanism for the implementation of that objective.
57. Policy 1 defines MSAs which cover known deposits of sand and gravel, clay-with-flints and white limestone which are required to be safeguarded from unnecessary sterilisation by non-mineral development. The MSAs are shown on Map 4 of the Plan. The objectives of this Policy are consistent with national policy.
58. Nevertheless, if all non-mineral development proposals were to be subject to the provisions of Policy 1, the application of the policy would become unwieldy and excessive. Therefore, a list of development exemptions is included in Box 1 of the Plan to ensure that the implementation of the policy remains practicable. Box 1 lists the types of non-mineral development which, within a MSA, would not be subject to the safeguarding policy.

59. I also consider that the Plan effectively outlines the steps which respective District Councils would take to implement the policy. In particular, Policy 1 requires planning applications for non-mineral development to be accompanied by a Mineral Assessment providing information to conclude whether the prior extraction of the mineral resources can be undertaken including, amongst other matters, consideration of the viability of undertaking the prior extraction.
60. However, the Plan does not identify the fact prior extraction itself could harm the viability of the proposed non-mineral development. Therefore, **MM3** provides additional text at paragraph 4.20 and the first criterion of Policy 1 to reflect the fact that the prior extraction itself could harm the viability of the proposed non-mineral development. This MM is required in order for the Plan to be effective.

### **Conclusion on Issue 3**

61. I am satisfied that the objectives of the MSA's, when considered with the recommended MM, suitably balance the needs of competing development. Therefore, the Plan is sound in this respect.

### **Issue 4 – Whether adequate provision is made for other minerals of significance in Buckinghamshire.**

#### *White Limestone*

62. Buckinghamshire is not currently a producer of crushed rock having no permitted crushed rock extraction sites within the County. Limestone resources are located in the north west of the County. However, the Plan indicates that very limited resources are suitable for use as crushed rock aggregate although white limestone, which is subject to a MSA, is suitable for aggregate use. In preparing the Plan, no site options were submitted to the Council for consideration and no evidence has been provided to demonstrate a need for the Plan to allocate any sites for primary aggregate provision. Therefore, I consider that the Plan is sound in the way it has dealt with white limestone.

#### *Chalk (industrial use)*

63. No chalk is at present worked in the County as an aggregate mineral. Small amounts of white chalk from the Pitstone site are used to supply the agricultural lime market. This site has an extant planning permission but paragraph 4.11 of the Plan refers to it as being inactive. Modification **MM2** proposes revisions to this paragraph to refer to the fact that the site is inactive for extended periods due to seasonal and weather dependencies and removes reference to the site being no longer active. This modification is necessary in order to ensure that the Plan is consistent with the current operational status of the site.

#### *Clay-with-flints*

64. Deposits of clay-with-flints are located predominantly in the Chiltern District and are locally important for use in the manufacture of bricks that are suitable for use in buildings that are required to meet the distinctive architectural

character of the Area. However, the resource is of variable quality and occurs in relatively small areas. It is worked by one operator (also the manufacturer) on a small scale for the production of Chiltern Bricks. The resource is subject to a MSA which is limited to the area associated with the permitted reserves (around Bellingdon). Given the small scale nature of the operations, the Plan indicates that there is no requirement for identifying any allocation of new sites for clay-with-flint extraction and that the provision of a landbank is not necessary as there is no evidence of any increased demand. Therefore, I consider that the Plan is sound in the way that it has dealt with clay-with-flints.

#### *Clay and Chalk*

65. Although some clay and chalk deposits are currently extracted for local purposes, particularly in the Chilterns AONB, the Plan recognises the importance of ensuring that these finite resources are not unnecessarily exploited and that the resource is conserved where possible for use to maintain the character and appearance of the local area. However, in order for the Plan to be effective, **MM6** is proposed which inserts an additional sentence at the end of paragraph 4.66 which supports innovative techniques that would help conserve resources.

#### **Conclusion on Issue 4**

66. The Plan, when considered with the recommended MMs, provides an appropriate basis for the provision of minerals of significance (other than aggregates) in Buckinghamshire and is sound in this respect.

#### **Issue 5 - Whether the spatial strategy for waste management is the most appropriate and is soundly based.**

67. The overall objective of the Plan is to deliver a net self-sufficiency in waste management capacity within the County. It estimates that, by the end of the plan period, 2.14Mt of waste will be produced annually within the County. Buckinghamshire also accommodates the management of a proportion of waste exported from London. **MM7, MM8, MM9, MM10, MM11, MM12, MM13, MM15, MM16** and **MM17** are proposed to reflect the updated information on London's waste exports as contained within the London Plan Waste Forecasts and Apportionments 2017 (Ref 255 and 256).
68. It is estimated that by end of the plan period there will be a need for an additional 0.20Mtpa of (non-inert) recycling, 0.51Mtpa of inert recycling, 0.13Mtpa of composting and 0.09Mtpa of inert recovery and/or landfill capacity. The Council has a contract with FCC Environment for the management of Buckinghamshire's municipal waste which expires after the plan period. FCC Environment are the operators of the Greatmoor Energy from Waste (EfW) plant. The Plan identifies that this facility has a capacity of 0.3Mtpa which is sufficient to meet the County's needs (0.247Mtpa) by the end of the Plan period.
69. The non-hazardous landfill voidspace at the start of the plan period was estimated at 7.95Mt which is sufficient to accommodate Buckinghamshire's disposal needs during the plan period. As such, no allocations for non-hazardous landfill are necessary. Estimated remaining voidspace for

hazardous landfill at the start of the plan period was 0.489Mt which is sufficient to accommodate the county's needs over the plan period.

70. Table 8 of the Plan identifies the indicative future waste management facility needs for the County during the plan period. It is estimated that up to four medium or two large materials recycling facilities, up to five medium or two large composting facilities and up to ten medium or five large inert recycling facilities may be needed.
71. Policy 11 (Spatial Strategy for Waste Management) and Policy 14 (Developing a Sustainable Waste Management Network) provide a spatial strategy for waste management that seek to focus the delivery of a network of facilities to meet the capacity needs at the main urban areas of High Wycombe, Aylesbury, Buckingham and growth points. These areas are defined as the Primary Areas of Focus for waste management. In these locations the preferred areas for facilities are existing industrial and employment sites and areas with planned urban extensions. However, these two policies, together with their relevant supporting text, provide substantial repetition in their content and objectives.
72. Outside the above areas there are a number of existing industrial estates, employment sites and waste management sites that are considered to be suitable for waste management use and which are identified as Secondary Areas of Focus for waste management use. However, the Plan does not adequately provide for the management of waste arising in the south of the County.
73. The Plan recognises that the nature of the development constraints within the south of the County, due to the Chilterns Area of Outstanding Natural Beauty and Green Belt designations, means that there are more locational opportunities available for waste management facilities in the north.
74. In order to address the repetitious nature of Policies 11 and 14 and provide opportunity for waste management facilities to be located in the south of the County, **MM14**, **MM18** and **MM19** are proposed. These changes provide for the deletion of Policy 11 and the merger of its content with Policy 14. They also provide for the merger, deletion and inclusion of new paragraphs to the supporting text of the revised Policy 14.
75. **MM18** and **MM19** recognise that there may be a need for waste management development in the south of the County and within AONB and Green Belt locations. These MMs identify that such development may not conflict with AONB and Green Belt designations, particularly where there is a lack of suitable sites outside such designated areas and where there is a need to locate facilities close to waste sources or support sub-regional catchments. These MMs are necessary in order for the Plan to be positively prepared and effective.
76. **MM19** also proposes new supporting text to the revised Policy 14 (Spatial Strategy for Waste Management) and recognises that proposals for development of waste management facilities on sites other than the identified locations may also be acceptable where these would be in compliance with other relevant policies in the Plan. I am satisfied that these MMs provide an appropriate policy framework for the consideration of waste management

development proposals outside of the identified locations and also in the south of the County.

77. Policy 15 provides Development Principles for Waste Management Facilities. For proposals not located within an area identified for waste management use preference will be given to those which integrate and co-locate waste management facilities with complementary activities or maximises the use of previously developed land or redundant agricultural and forestry buildings (and their curtilages).
78. The Plan does not adequately reflect the fact that some employment sites may be planned rather than being currently present. It also does not appropriately consider that waste management development proposals may come forward in locations that may not be within an area of focus for waste management. **MM21** proposes an amendment to Policy 15 to address these matters and also identifies that preference will be given to proposals that integrate and co-locate waste management facilities together. This MM ensures that Policy 15 adequately reflects the status of employment sites and encourages the integration of waste management facilities. It is therefore necessary to ensure that the Plan is effective.
79. Turning to Sewage Treatment Works (STW), Policy 16 provides the framework for the consideration of proposals for extensions, increased capacity to support development or the co-location of new facilities with other waste management facilities. However, the policy and its supporting text, do not adequately reflect the fact that some STW may service more than one settlement and may be intended to service new locations. **MM22** is proposed to address this matter and ensure that the Plan is effective.

### **Conclusion on Issue 5**

80. Subject to the identified MMs above, I am satisfied that the spatial strategy for waste management is effective, sound and consistent with the relevant guidance provided in the National Planning Policy for Waste (NPPW) and the PPG.

### **Issue 6 – Whether the waste management allocations are soundly based and consistent with national policy.**

81. Table 9 sets out a number of locations that are allocated for employment purposes in District Council Local Plans that are considered, in principle, acceptable for waste management facilities. These do not constitute specific allocations but are identified as areas of focus. The Plan recognises that it will be necessary to ensure that the proposed waste use is complementary to the employment areas' current economic role and any plans for those employment areas as set out in the local plans of the relevant District Council. **MM20** proposes a new diagrammatic map to be inserted after Table 9 showing the location of the primary and secondary areas of focus for waste management. This MM is necessary in order for the Plan to be effective.
82. The locations identified in Table 9 have been subject to a Stage 1 and Stage 2 Assessment of their suitability to accommodate waste facilities [*Technical Annex – Site Assessments* (Ref 400)]. The Plan recognises that well designed,



enclosed waste management facilities would be considered acceptable but that open air facilities would not be appropriate.

83. Waste management facilities may potentially have adverse environmental impacts where located on general employment sites. However, I am satisfied on the evidence available that the effects of the waste uses concerned would be capable of mitigation to avoid undue conflict with economic development. The areas of focus for waste management are suitable locations subject to compliance with other policies in the Plan. In this regard the Plan is positively prepared.
84. There is no need to apportion waste capacities or facilities specific to the locations in Table 9. Particularly as such an approach is not required by national policy. The variety of locations in Table 9 gives the market opportunities for a range of facilities to come forward. Whilst the Plan does not make provision for bio-waste facilities in the north of the County some of the areas identified already have some bio-waste facilities within them. The Plan does not restrict these areas from expanding nor does it discourage any new facilities that may be required in the future.
85. Table 9 also contains the Greatmoor and High Heavens sites which are existing waste management facilities and not employment areas. **MM19** also proposes the deletion of these sites from the table as their inclusion as existing sites that are already in waste management use only are an anomaly within the table that identifies broad employment areas.
86. The deletion of these sites from Table 9 might reduce opportunities within the primary and secondary areas of focus and affect the ability of the Plan to meet the needs of the area. However, their deletion from Table 9 does not alter their status as existing waste management facilities and the Plan is clear in the revised Policy 14 and the supporting text that proposals for waste management can come forward at other locations not identified in Table 9. Consequently, I do not consider that the deletion of these sites from Table 9 would result in any demonstrable diminution in future capacity.
87. The Tingewick Road Industrial Estate is also identified in Table 9. However, part of this location has been identified for residential development in the Buckingham Neighbourhood Plan and therefore **MM19** also proposes the deletion of this site from Table 9.
88. The question arises whether the Wapsey Wood site, located within the Green Belt in the south of the County, and the All Souls Farm Recycling Facility should be allocated within the Areas of Focus for waste management. However, these are existing sites and are not located within employment areas. As such, I see no basis for their inclusion within Table 9. The Plan does not allocate any areas of focus for waste management facilities in the Green Belt. Moreover, I consider that such allocations would undermine the spatial strategy for waste management which I have found to be sound.
89. However, **MM18** and **MM19** ensure that the spatial strategy for waste management identifies that there may be a need for facilities in the south of the County and in Green Belt locations. Such facilities may be considered to constitute exceptional circumstances where there is a lack of suitable sites outside the Green Belt and where there is a need to locate facilities close to

waste sources with preference for proposals that integrate and co-locate waste management facilities together with complementary activities.

90. The proposed revisions to Policies 14 and 15 and their supporting text, and Policy 7 in respect of the All Souls Farm site, provide flexibility and support to enable the consideration of development proposals in the Green Belt without undermining the spatial strategy for waste management.

### **Conclusion on Issue 6**

91. The Plan, when considered with the recommended MMs, makes proper provision for waste management facilities and is positively prepared, justified, effective and consistent with national policy.

### **Issue 7 - Whether the Development Management policies strike an appropriate balance between seeking to provide sustainable development and protecting people and the environment.**

92. The Plan contains a number of development management policies (Policies 17 to 28) that collectively seek to control impacts from future minerals and waste development. These include development criteria policies and policies addressing local considerations, such as sustainable transport, the natural and historic environments, landscape character, design and climate change, restoration and the safeguarding of minerals and waste management infrastructure.
93. Apart from Policy 23, which relates to the Chilterns Area of Outstanding Natural Beauty, and minor amendments to Policies 25 and 28, the remaining development management policies are sound without modification. A number of modifications to the supporting text of Policies 17, 18, 19, 20, 21, 23 and 25 are proposed to ensure clarity and the effectiveness of the Plan.

#### *Policy 17: Managing Impacts on Amenity and Natural Resources*

94. The supporting text to this Policy provides detail on the impact of mineral and waste development on amenity, water, flood risk, air and soils. Paragraph 7.11 relates to flood risk and in particular the need for site-specific flood risk assessments and the application of the Sequential and Exception Test in the consideration of new development proposals. However, the text does not refer to the consideration of climate change in the compilation and application of the assessments and tests. Therefore, for the Plan to be effective and be consistent with the NPPF, changes are necessary to paragraph 7.11 to ensure that the assessments and tests include consideration of climate change allowances (**MM23**).
95. Paragraph 7.12 relates to fluvial flood risk but also refers to the mobilisation of contaminants and key pathways for contaminants. This reference has little, if any, relevance to flood risk vulnerability classification. Consequently, in order for the plan to be consistent with national guidance and effective, changes to the text of paragraph 7.12 are proposed to remove the sentence that relates to the mobilisation of contaminants and key pathways (**MM24**).
96. I have considered whether there should be a separate standalone policy relating to flood risk. However, I consider that Policy 17, coupled with

relevant national policy and guidance, provides an appropriate basis for the consideration of flood risk in development proposals without the need for a standalone policy.

*Policy 18: Sustainable Transport*

97. The supporting text to this policy seeks to encourage sustainable transport and ensure that the impacts of additional traffic movements on the highway network are appropriately considered in minerals and waste development proposals. The areas of focus for waste management facilities are directed towards existing employment sites that already generate a considerable number of vehicular movements that add to traffic affecting local congestion hotspots. Changes to the text of paragraph 7.24 are necessary to require that consideration be given in any required Transport Assessment/Transport Plan to opportunities to reduce traffic movements compared to the current/previous use of the site (**MM25**). This MM is necessary in order for the Plan to be effective.

*Policy 19: Natural Environment*

98. The overall objectives of this policy are to ensure that minerals and waste development conserve and enhance natural assets and resources. The requirements of this policy are sound without modification. However, the supporting text includes Map 5 which shows Buckinghamshire's Ecological Networks. This map also shows 'waste allocations'. **MM26** is proposed which removes these allocations from the map. This is to reflect the fact that the Plan provides for areas of focus for waste development and not specific allocations with detailed site boundaries as were shown on the map.

*Policy 20: Historic Environment*

99. Paragraph 7.39 relates to the Historic Environment of the County and provides supporting text to Policy 20. The Council has produced a Historic Landscape Character Assessment which provides an historic context to the evolution of the current landscape within the County. This document is not referred to within the supporting text to the policy. To ensure that the Plan is effective **MM27** is proposed which cross references the supporting text in paragraph 7.39 to the Buckinghamshire Historic Landscape Character Assessment.

*Policy 21: Landscape Character*

100. Paragraph 7.45 identifies that a quarter of the County's land area lies within the Chilterns AONB. The paragraph refers to Footnote 46 which relates to the protection offered to AONBs as set out in national policy. The footnote refers to the fact that the protection of the AONB also applies to its setting. However, in considering the effect on setting the footnote does not adequately reflect the fact that consideration needs to be given to whether land in the AONB is affected by a proposal. Therefore, in order to ensure that adequate consideration is given to the setting of the AONB, **MM28** is proposed.

*Policy 23: Chilterns Area of Outstanding Natural Beauty*

101. The supporting text to this policy identifies the characteristics of the area that led to the designation as an AONB. Paragraph 7.76 refers to the special

qualities of the distinctive landscape, natural beauty and cultural heritage which are recognised as being of national importance. In order to ensure that the effect of development on the AONB as a whole is considered and not just those parts that exhibit the special qualities identified in that paragraph **MM29** is proposed. This provides an effective basis to support Policy 23.

102. Paragraph 7.57 relates to the AONB Management Plan. It is unclear as to what is meant by 'the primary purpose' of the AONB Management Plan. Consequently, to provide an effective basis to Policy 23, **MM30** is proposed which clarifies the purpose of the AONB Management Plan.

103. The potential for small-scale waste management facilities to be located within the AONB is set out in paragraph 7.62. This recognises that such facilities contribute to the economy and social well-being of communities within the AONB. In order for the Plan to be effective and sound in this respect, **MM31** is proposed to amend paragraph 7.62 to identify that small-scale waste management facilities within the AONB will be acceptable in principle provided that they do not conflict with the purpose of conserving and enhancing the natural beauty of the AONB.

104. The wording of Policy 23 does not adequately reflect requirements of paragraphs 115 and 116 of the NPPF. Therefore, to ensure consistency with national policy, **MM32** is proposed.

#### *Policy 25: Environmental Enhancement*

105. Although this policy is informed by a number of published documents, it omits reference to the Historic Landscape Character Assessment. Therefore, to ensure consistency with Policy 20 and to ensure that the Plan is effective **MM33** is proposed.

#### *Policy 28: Minimising Land Use Conflict*

106. This policy recognises that non-mineral development can be incompatible with mineral or waste development, if sited in close proximity to it. The policy requires new development within 300 metres (m) of a minerals and waste development and 400m of a sewage treatment works to demonstrate that it would not adversely affect the continued operation of the permitted or allocated mineral, waste or sewage treatment development. In addition, demonstration is required that the ongoing occupation and usage of the proposed non-mineral development would not be adversely affected by the operations of the mineral, waste or sewage treatment works.

107. However, this part of the policy is considered onerous as, in the consideration of the planning balance of new development proposals, there could be other reasons that may suggest that development within such zones would be acceptable. In order for the policy to be effective, **MM38** is proposed which deletes reference to 'development should not be permitted' and ensures that the Plan is positively prepared.

108. The supporting text to this policy (paragraphs 7.95 to 7.99) refers to the 300m and 400m distances as being 'buffer zones' which could be interpreted that non-mineral development should not occur within such zones. This is not the intention of the policy. **MM34** is proposed to remove reference within the

supporting text to buffer zone and replace this with 'consultation zone'. In addition, in order to avoid repetition within the supporting text and to aid clarity **MM35**, **MM36** and **MM37** are proposed. These MMs are necessary for the Plan to be effective.

### **Conclusion on Issue 7**

109. Subject to the identified MMs, the development management policies and their supporting text reflect a balanced and comprehensive approach to the control and management of development that accords with national policy. Accordingly, I find this part of the Plan, as modified, to be sound.

### **Issue 8 - Whether the implementation and monitoring arrangements for the minerals and waste sections of the Plan will be effective.**

110. Table 10 of the Plan comprises the Monitoring Framework that lists the key indicators, targets, implementation partners and trigger points for corrective and/or mitigation measures for each policy of the Plan and their appropriate link to the Strategic Objectives. This provides for a practical approach and co-operation and participation involving appropriate interested parties. However, in order to reflect the merger of Policy 11 and Policy 14 **MM40** is proposed.

111. The Plan does not specifically identify some of the factors that would be taken into account in considering whether a review or partial review would be necessary. In particular, the proposed Heathrow expansion and the Oxford-Milton Keynes-Cambridge Growth Corridor could place significant demand on future aggregate requirements and the need for waste management facilities. Therefore, in order for the Plan to be effective, **MM39** is necessary which provides an additional text to paragraph 8.22 of the Plan. This MM identifies some of the key factors that would be taken into account in considering whether a full or partial review of the Plan would be necessary.

112. The Plan provides for annual monitoring reports to be prepared to enable assessments to be made of what impacts the policies are having, and for reviews to take place should any parts of the Plan be found to need adjustment or replacement. LAAs also provide a monitoring mechanism specific to aggregates.

### **Conclusion on Issue 8**

113. The Plan contains sufficient realistic indicators to monitor the performance of the policies. It provides for regular, deliverable assessment of how effective the policies are proving to be in meeting their objectives, thereby facilitating the identification of any changes needed. Subject to the MMs, the Monitoring Framework, as modified, is fit for purpose and is sound.

### **Other Modifications**

114. Appendix 3 of the plan provides profiles of the allocated sites for mineral extraction. On the basis that none of the allocated sites has any specific requirements for extraction that are not otherwise included within paragraphs 4.47 and 4.41 and that the allocated sites are identified on the proposals map, Appendix 3 is superfluous. Consequently, **MM41** proposes the deletion of Appendix 3.

115. Appendix 4 shows the boundaries of sites that were assessed for primary and secondary areas of focus for waste management use. These specific boundaries imply that the sites are formally designated areas for such use. The named locations within Table 9 of the Plan are areas of focus for waste management and are not allocated areas with defined spatial boundaries. Consequently, in order for the Plan to be effective, **MM42** is proposed which deletes the plans of the individual sites and replaces them with a map of the county showing geographical locations of the sites only, in accordance with **MM20**.

## **Public Sector Equality Duty**

116. Throughout the examination, I have had due regard to the equality impacts of the Buckinghamshire Minerals and Waste Local Plan 2016 - 2036 in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. This, amongst other matters, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. An Equalities Impact Assessment was prepared (Ref 612). This indicates that the Plan does not lead to any adverse impacts or causes discrimination to any particular groups within Buckinghamshire. There is no compelling evidence that the Local Plan as a whole would bear disproportionately or negatively on them or others in this category.

## **Assessment of Legal Compliance**

117. My examination of the legal compliance of the Plan with the legal requirements is summarised below. I conclude that the Plan meets them all.

118. The Local Plan has been prepared in accordance with the Council's Local Development Scheme (LDS) adopted in February 2017.

119. Consultation on the Local Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement adopted in January 2015.

120. Sustainability Appraisal (SA) has been carried out, including appraisal of the MMs, and is adequate.

121. The Habitats Regulations Screening Assessment Report (June 2017) sets out why an Appropriate Assessment is not necessary.

122. The Plan includes objectives and policies designed to secure that the development and use of land in the Mineral Planning Authority's area contribute to the mitigation of, and adaptation to, climate change (Strategic Objective SO8 and Policy 24).

123. The Local Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations except where indicated and MM's are recommended.

124. Throughout the examination, I have had due regard to the equality impacts of the Buckinghamshire Minerals and Waste Local Plan 2016 - 2036 in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010. This, amongst other matters, sets out the need to

advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. There is also no compelling evidence that the Local Plan as a whole would bear disproportionately or negatively on them or others in this category.

## **Overall Conclusion and Recommendation**

125. The Plan has a number of deficiencies in respect of soundness which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
126. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the Buckinghamshire Minerals and Waste Local Plan 2016-2036 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (2012).

*Stephen Normington*

INSPECTOR

This report is accompanied by Appendix 1 containing the Schedule of Main Modifications.

## Appendix 1 – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	13	Strategic Objective SO1	Amend last sentence of first para: "This will be complemented by <del>a reduction in the reliance on primary minerals by increasing</del> <u>maximising</u> the contribution made by aggregates recycling and the use of alternatives to primary materials."
MM2	18	Para 4.11	Amend para to read: "Small amounts of white chalk from the Pitstone site, partly located in the Chilterns AONB, <del>were previously</del> <u>have been used</u> to supply the agricultural lime market. <del>Although</del> <u>The</u> site is subject to an extant permission for the extraction of chalk and subsequent restoration <u>however inactive for extended periods as extraction is seasonal and weather dependent.</u> " <del>it is no longer active</del>
MM3	20	Para 4.20 and Policy 1	Amend para to read: "Proposals for development (that does not constitute exempt development) within an MSA must include a Mineral Assessment (to accompany the planning application) which is to address the effect of the proposed development on the mineral resource beneath or adjacent to the site, site-specific geological survey data pertaining to the mineral resource, feasibility <del>and viability of prior extraction</del> <u>both in relation to the (prior) extraction of the resource and whether the prior extraction itself could harm the viability of the overall proposed development</u> , potential for use in the proposed development and how prior extraction would be achieved."  Amend first criterion of Policy 1 to read: "prior extraction of the mineral resource is practicable and environmentally feasible <u>and does not harm the viability of the proposed development; or</u> "
MM4	28	Policy 3	At end of second para add: "and in line with the prevailing Local Aggregates Assessment."  Amend third para:  This provision will come from <del>both sites with planning permission,</del> <u>extensions to existing sites and from new sites ...</u> "



Ref	Page	Policy/ Paragraph	Main Modification
MM5	29	Para 4.51	Delete third sentence and replace with: "The northern site was granted planning permission in February 2018 subject to a section 106 agreement but is identified as an allocation as it was not a permitted site at the start of the plan period."
MM6	33	Para 4.66	Add new sentence to end of para 4.66: "Proposals for the production of building materials (e.g. bricks) that utilise such resources involving innovative techniques that would help to conserve resources would be supported where compliant with relevant MWLP policies."
MM7	37	Policy 7	Add new bullet to para 2 of Policy 7 to read: "where not within the areas of focus for waste, or a committed waste site, the proposals should integrate and co-locate with complementary activities, or maximise the use of previously developed land or redundant agricultural and forestry buildings (and their curtilages)."
MM8	48	Para 5.41	Delete para 5.41.
MM9	48	Para 5.43	Amend para 5.43 to read:  " <u>In 2015 London exported 11.4Mt of waste; of this 3.45Mt was household and C&amp;I waste. During this period (2015) Buckinghamshire received 0.32 Mt of London's waste household and C&amp;I waste for disposal to non-hazardous landfill; of which 0.39Mt was disposed of to non-hazardous landfill, with household, industrial and commercial waste accounting for 0.32Mt (equating to around 92% of London's total non-apportioned waste to be exported. s disposed of to non-hazardous landfill). Such movements ....</u> "
MM10	48	Para 5.44	Amend para 5.44 to read: "In line with the London Plan Waste Forecasts and Apportionments 2017, it is assumed that <u>around 92%</u> of London's non-apportioned ....."
MM11	49	Table 5	Amend title of second row: London's <u>total non-apportioned (household and C&amp;I) waste to be exported</u>  Delete third row - London's waste exported for disposal to non-hazardous landfill  Amend title of fourth row: London's waste received by BCC <u>for disposal to non-hazardous landfill</u>  Amend figures in fourth row to (2016 to 2025): 0.18, 0.17, 0.15, 0.14, 0.12, 0.11, 0.09, 0.07, 0.04, 0.02

Ref	Page	Policy/ Paragraph	Main Modification
MM12	50	Figure 4	Delete Figure 4 and replace with updated figure reflecting the amended figures as per Table 5.
MM13	50	Para 5.45	Amend "1.72Mt" to "1.09Mt"
MM14	52	Policy 11 and paras 5.53 to 5.63	<p>Delete title "Spatial Strategy for Waste Management"</p> <p>Delete paras 5.53 - 5.63 and merge relevant content with 5.87 - 5.92 (including Table 9).</p> <p>Delete Policy 11 and merge relevant content with Policy 14. Move above content to after para 5.86.</p> <p>(Detail of amendments set out under Para 5.87, Table 9 and Policy 14 - MM18 and MM19).</p>
MM15	58	Para 5.72	Amend "1.72Mt" to "1.09Mt"
MM16	60	Para 5.76	Amend "1.72Mt" to "1.09Mt"
MM17	63	Policy 13	<p>Amend Policy 13: Disposal to Landfill</p> <p>Second paragraph, amend end of sentence: ... provided for over the plan period: <u>0.18</u> <del>0.23</del> Mtpa 2016, <u>0.11</u> <del>0.19</del> Mtpa 2021 and zero by 2026.</p> <p>Table at end of policy, amend figures in brackets: (<u>0.18-23</u>), (<u>0.11-19</u>)</p>
M18	65	Para 5.87 - 5.92 including Table 9	<p>Merge and amend relevant content of paras 5.53 - 5.63 with 5.87 - 5.92 (including Table 9), move content to after para 5.86, renumber paragraphs accordingly.</p> <p>Re-number policies, paragraphs and amend references throughout document accordingly.</p> <p><i>Note that text in brackets at start of para indicate where text has been merged and/or new text included. Strikethrough text indicates deletions. Content (from proposed submission document) not included below to be deleted.</i></p> <p><b>Amended content to read:</b></p> <p><b>Spatial Strategy for Waste Management</b></p> <p>5.53 The development of a sustainable waste management network requires a range of facilities aligned with the different levels of the waste hierarchy, including facilities for the preparation of wastes for re-use and recycling and other recovery as well as facilities for the disposal of residual wastes (including residues arising from the treatment of waste). Facilities should be directed to locations where investment and links to existing and planned land uses, and infrastructure networks can be optimised, in order to support sustainable economic growth and development of sustainable communities.</p> <p>5.54 The Government's policy direction regarding identification</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>of suitable sites and areas highlights the need to:</p> <ul style="list-style-type: none"> <li>• consider waste management alongside other spatial planning matters;</li> <li>• enable communities and businesses to take more responsibility for their own waste;</li> <li>• plan for the disposal of waste and the recovery of mixed municipal waste in line with the proximity principle;</li> <li>• recognise the relationship between catchment areas and economic viability;</li> <li>• support opportunities for co-location of waste management facilities together and with complementary activities; and</li> <li>• give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.</li> </ul> <p>5.55 (Merge and amend first sentence of para with the first sentence of para 5.87) Buckinghamshire's land use context and environmental designations have a heavy influence on <u>both the overall spatial strategy for developing a network of facilities and available locations that would be considered as appropriate to accommodate a waste use for allocation in the MWLP. The distribution of this network of facilities, including the scale and catchment area of individual facilities, should relate to Buckinghamshire's settlement hierarchy and areas of planned growth (as identified in the local plans prepared by the district councils).</u></p> <p><u>New para) The two main towns are High Wycombe and Aylesbury, which together account for over a quarter of Buckinghamshire's population. Located within the south of the county, High Wycombe is the largest urban area and although it will continue to experience growth this is set against the backdrop of metropolitan Green Belt and the Chilterns AONB, with only areas to the west and south not bounded by Green Belt and/or the Chilterns AONB. These key designations dominate the southern portion of the county. Amersham, Beaconsfield, Chesham, Gerrards Cross/Chalfont St. Peter and Marlow are also main settlements however these are bounded on all sides by the Green Belt and/or AONB, constraining growth. As such the larger growth opportunities should lie beyond these key designations. Aylesbury, located in central Buckinghamshire, is the second largest urban area and forms a key growth point, being well-placed in relation to London and east-west links including Milton Keynes and not constrained by the green belt and/or Chilterns AONB. To the north of the county, Buckingham, although a smaller town, is planned to continue its expansion and is also not constrained by the green belt and/or Chilterns AONB. Together, these three main settlements form a natural focus for future growth. Growth will also occur, albeit on a more local scale, at the remaining towns as well as a small number of other settlements.</u></p> <p>(Insert and amend remainder of para 5.55) The spatial strategy for waste will seek to focus on the <u>delivery of a network of</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>waste management growth of facilities, particularly those facilities for the recovery of waste, to meet capacity needs at the main urban areas, growth locations and beyond these at existing industrial estates and waste management sites, with facilities in rural areas where this does not conflict with AONB and Green Belt designations. New development will be encouraged to incorporate neighbourhood waste management facilities in line with Policy 10: Waste Prevention and Minimisation in New Development.</p> <p><u>(Insert and amend remainder of para 5.87)</u> As such the strategy for providing sufficient opportunities to meet Buckinghamshire's future needs is to identify <u>an overall spatial strategy that identifies areas of focus for new or enhanced waste management that seek to deliver the indicative capacity needs and reflect the key growth points in order to support the development of sustainable communities spatial strategy.</u> Proposals for sites coming forward within these areas would need to demonstrate compliance with relevant MWLP policies.</p> <p><i><u>The Primary and Secondary Areas of Focus</u></i></p> <p>5.56 <u>As previously discussed, the main urban areas in Buckinghamshire are High Wycombe and Aylesbury. Aylesbury is a growth location in the county and was awarded Garden Town status in January 2017. Buckingham is also identified as a growth location. These locations in the central and northern parts of the county will form the natural (primary) focus for Buckinghamshire's sustainable waste management network given their proximity to the community and businesses. (Merge and amend second sentence of para 5.88)</u> In these locations the preferred areas are existing general industrial and employment areas along with urban extensions (as defined in district local plans).</p> <p><u>(New para)</u> Within the primary areas of focus of High Wycombe, Aylesbury and Buckingham particular locations have been identified as being acceptable in principle to accommodate waste management facilities, refer to the table below.</p> <p><u>(Merge and amend para 5.56 then merge with and amend last two sentences of para 5.89)</u> However Outside of these locations primary areas of focus (i.e. High Wycombe, Aylesbury and Buckingham) there are a number of existing general industrial estates, employment areas and existing waste management facilities where waste development that are considered suitable for waste management use can also take place, including within southern Buckinghamshire. <u>These areas will form the secondary focus for Buckinghamshire's sustainable waste management network, refer to the table below.</u> These areas are largely outside of the remaining Buckinghamshire urban locations. <u>For employment locations Sites within these secondary areas outside of the urban centres such locations will may be particularly suitable for facilities that are not appropriate to locate in or adjacent to urban areas.</u></p>

Ref	Page	Policy/ Paragraph	Main Modification						
			<p data-bbox="619 277 1500 853">New para) <u>The nature of constraints to development in Buckinghamshire, with respect to the Green Belt and AONB being present in the south but not in the north, means that there are more locational opportunities identified in the north of the county than there are in the south (refer table below). As the capacity need is identified for the whole of the county, it is therefore appropriate for the opportunities in the north for waste management facilities to meet the needs arising in the south in accordance with the proximity principle. However, the need for waste management facilities may present itself in the southern half of the county. In these cases the following factors may combine to produce very special circumstances, allowing development within the Green Belt: a lack of suitable alternative sites outside the Green Belt; the need to locate facilities close to sources of waste in order to serve a local, southern Buckinghamshire catchment; and the wider social and environmental benefits associated with sustainable waste management.</u></p> <p data-bbox="619 891 1321 949"><b>(Amend table) Table 9: Areas of focus for waste management</b></p> <table border="1" data-bbox="619 949 1388 2042"> <thead> <tr> <th data-bbox="619 949 1002 1081"><b>Primary Areas of Focus for Waste Management</b> -(by geographical – not priority – order)</th> <th data-bbox="1002 949 1388 1081"><b>Secondary Areas of Focus for Waste Management</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="619 1081 1002 1601"> <p data-bbox="630 1088 991 1594"><b>Northern Buckinghamshire Buckingham,</b> particularly including at the following locations: - Radclive Road (Gawcott with Lenborough) - Buckingham Industrial Park** (includes the undeveloped area to its south east identified in the Buckingham Neighbourhood Plan) - Tingewick Road Industrial Estate</p> </td> <td data-bbox="1002 1081 1388 1601"> <p data-bbox="1013 1088 1283 1245"><b>Northern Buckinghamshire</b> —Greatmoor (Quainton/Calvert Green)*</p> </td> </tr> <tr> <td data-bbox="619 1601 1002 2042"> <p data-bbox="630 1608 975 2022"><b>North Central Buckinghamshire Aylesbury,</b> particularly including at the following locations: - Rabans Lane &amp; Gatehouse Industrial Areas** - Stocklake Industrial Area - South East Aylesbury North of A41** (Weston Turville/Aston Clinton)</p> </td> <td data-bbox="1002 1601 1388 2042"> <p data-bbox="1013 1608 1374 2022"><b>North Central Buckinghamshire</b> - Haddenham Business Park (Haddenham) - Long Crendon Industrial Estate (Long Crendon)** - Triangle Business Park (Stoke Mandeville) - Westcott Venture Park EZ (Westcott)** - Woodham Industrial Estate (Woodham)</p> </td> </tr> </tbody> </table>	<b>Primary Areas of Focus for Waste Management</b> -(by geographical – not priority – order)	<b>Secondary Areas of Focus for Waste Management</b>	<p data-bbox="630 1088 991 1594"><b>Northern Buckinghamshire Buckingham,</b> particularly including at the following locations: - Radclive Road (Gawcott with Lenborough) - Buckingham Industrial Park** (includes the undeveloped area to its south east identified in the Buckingham Neighbourhood Plan) - Tingewick Road Industrial Estate</p>	<p data-bbox="1013 1088 1283 1245"><b>Northern Buckinghamshire</b> —Greatmoor (Quainton/Calvert Green)*</p>	<p data-bbox="630 1608 975 2022"><b>North Central Buckinghamshire Aylesbury,</b> particularly including at the following locations: - Rabans Lane &amp; Gatehouse Industrial Areas** - Stocklake Industrial Area - South East Aylesbury North of A41** (Weston Turville/Aston Clinton)</p>	<p data-bbox="1013 1608 1374 2022"><b>North Central Buckinghamshire</b> - Haddenham Business Park (Haddenham) - Long Crendon Industrial Estate (Long Crendon)** - Triangle Business Park (Stoke Mandeville) - Westcott Venture Park EZ (Westcott)** - Woodham Industrial Estate (Woodham)</p>
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			<p><b>South Central Buckinghamshire High Wycombe</b>, particularly including at the following locations:</p> <ul style="list-style-type: none"> <li>- Cressex Employment Area**</li> <li>- M40 Junction 3, Loudwater</li> <li>- Sands Industrial Estate</li> <li>- High Heavens (Great Marlow)*</li> <li>- Wycombe Air Park</li> </ul>	<p><b>South Central Buckinghamshire</b></p> <ul style="list-style-type: none"> <li>- South of Raans Road (Amersham)</li> <li>- Thomas Road (Wooburn)</li> </ul> <hr/> <p><b>South Eastern Buckinghamshire</b></p> <ul style="list-style-type: none"> <li>- Court Lane (Iver)**</li> <li>- Ridgeway Trading Estate (Iver)</li> <li>- Thorney Business Park (Iver)</li> </ul>
			<p>Delete note under table "* Existing waste management facility/use".</p> <p>Footnote to read: The areas of focus are defined as the industrial estate, existing or designated in adopted district local plans, and their curtilage. This excludes any associated greenfield land beyond the existing footprint and any other buildings or structures not directly associated with the industrial estates operations and as indicated on the respective local plan policy map.</p> <p><u>(New para)</u> Some of the locations in the above table are industrial estates or employment areas that include existing waste management facilities/uses, whilst others are existing industrial estates or employment areas where the receiving environment is considered suitable to accommodate such use and so presents an opportunity to facilitate delivery of the indicative capacity needs. Depending on scale, type and catchment of the proposed waste management facility it may be that a secondary area of focus is not the most appropriate location and that it would be better directed to a primary area of focus. Proposals for development of waste management facilities on sites other than the identified locations may also be acceptable where in compliance with relevant MWLP policies.</p> <p><u>(New para)</u> In addition to the identified locations within the primary and secondary areas of focus, proposals for development of waste management facilities to be co-located with existing waste management facilities that would contribute towards integrated waste management solutions will be supported where in compliance with relevant MWLP policies.</p>	

Ref	Page	Policy/ Paragraph	Main Modification
			<p><b>Insert and amended para 5.90)</b> Many of the areas of focus for waste management are within existing areas, or areas designated through district council's local plans, for employment purposes. Where development of a new waste management facility is proposed within an employment area it will be necessary to ensure that the proposed use is complementary to the employment areas current economic role, status and uses and any plans for those employment areas as set out in the local plans of the relevant district council. Where an employment location is proposed for enhancement in a local plan then well-designed B2 type enclosed waste management facilities would be considered acceptable but not open air non-B2 type preliminary waste facilities.</p> <p><b>(Insert and amend para 5.92)</b> It is recognised that the site of Thorney Business Park (Iver) is being proposed for mixed-use development (residential and employment) in the emerging Chiltern and South Bucks Joint Local Plan 2013-2034 (CSBJLP). Whilst the CSBJLP is still in the early stage of preparation, however, there is support to allocate the site of Thorney Business Park and adjacent land for mixed-use development. This proposed development is also intended to deliver essential infrastructure for Iver to improve environmental conditions. As any future development of this site is unlikely to be implemented (subject adoption of the CSBJLP and planning permission) until later in the plan period, industrial uses at Thorney Business Park, including potential waste use, would continue. The inclusion of the Thorney Business Park as a location identified within the secondary area of focus for waste management in Table 9 would remain until the redevelopment is programmed to be implemented.</p> <p><i>Development in rural areas</i></p> <p><b>(Insert para 5.60)</b> Facilities that are incompatible with, or not complementary to, urban development should be encouraged to locate in appropriate rural industrial estates, existing waste management sites outside the urban areas or other appropriate rural locations in line with the policies of the MWLP.</p> <p><b>Insert para 5.59)</b> Facilities in rural areas that are outside of current industrial developments will be supported where such facilities: have a local to sub-regional catchment; serve local residents and allow for the collection and separation of household waste; incorporate biological treatment of waste; are associated with existing rural employment uses or farm-based enterprises, and/or involve the re-use of previously developed land, redundant agricultural and forestry buildings and their curtilages. This may include, for example, HRC's, facilities for composting or for recovery of waste such as anaerobic digestion (AD) with energy recovery.</p> <p><i>Household Recycling Centres</i></p> <p>5.58 Buckinghamshire's network of HRCs are recognised as</p>

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			<p>playing an important role in meeting waste recovery and landfill diversion targets for municipal waste. Most of the existing HRCs are concentrated in southern Buckinghamshire. There may be a need during the plan period to develop, improve and possibly rationalise the existing network to better relate to and service areas of planned growth, particularly in the north of the county. For some existing HRCs this need may be delivered through improvements to the facility to increase operational capacity. It is the intention that facilities are to be provided to meet local population needs accounting for economic and projected housing growth. Proposals in relation to HRCs will be considered in accordance with the policies of the MWLP but with particular regard to Policy 11: Spatial Strategy for Waste Management and Policy 15: Development Principles for Waste Management Facilities.</p> <p><i>Strategy for other types of waste development</i></p> <p>5.61 No further non-hazardous landfills should be provided for. The deposit of inert waste to land should be focused at mineral extraction sites with extant planning permission to facilitate restoration, although it is accepted that in central Buckinghamshire there may not be opportunities afforded by extraction and therefore other sites (not associated with restoration of mineral extraction sites) could be required.</p> <p>5.62 Development of facilities with a national or regional catchment area are only considered appropriate for hazardous and radioactive wastes (particularly LLW). It is acknowledged that such wastes are, in general, produced in relatively smaller quantities (within WPAs) and require specific treatment processes to reduce the volume of waste and ensure that it does not cause pollution or harm to the environment. As such facilities require a much wider catchment for operational efficiency and economic viability. These wastes can therefore be said to be of a specialised nature, with a genuine need for a wider catchment area, unlike other waste streams that can be managed via a wide range of treatment processes and area able to capture the required capacity for operations within a smaller catchment area.</p> <p>5.63 Given the quantity of arisings and spatial context within which Buckinghamshire is situated, there is currently no evidence to warrant development of facilities for the management of hazardous and radioactive wastes within the county.</p>
MM19	67	Policy 14	<p>Merge Policy 11 and Policy 14. Amend Policy 11/14 to reflect key points of clarification included in the explanatory text to the merged policy (MM18, subject to the proposed modifications consultation January to February 2019). Re-number policies (and references) throughout the plan accordingly.</p>



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			<p>Delete the first and second paragraph of Policy 14. Remainder of merged policy to read as:</p> <p><b>"Policy 11 14: Spatial Strategy for Waste Management</b>  The growth of Buckinghamshire's sustainable waste management network will be delivered by <u>primarily</u> focusing development of facilities for the preparation of wastes for reuse and recycling and other recovery on the main urban areas and growth locations of High Wycombe, Aylesbury and Buckingham <u>within existing general industrial and employment areas along with urban extensions.</u></p> <p><u>As a secondary focus,</u> facilities for the preparation of wastes for re-use and recycling in key settlements outside of <u>the primary areas of focus (i.e. High Wycombe, Aylesbury and Buckingham),</u> will be supported where <u>located within existing general industrial and employment areas,</u> <del>appropriate,</del> particularly where involving the re-use of previously developed land and/or the co-location of waste management facilities.</p> <p><b>(Insert and amend from Policy 14)</b> <u>New standalone waste management facilities should be directed towards the primary and secondary areas of focus. Other sites that are not within the primary and secondary areas of focus may come forward over the plan period and should demonstrate why the proposed location is acceptable with regard to the spatial strategy for waste management and other relevant MWLP policies.</u></p> <p><b>(Moved up from previous Policy 11 and amended)</b> Opportunities to co-locate waste management facilities together and with complementary activities will be supported <del>particularly where relating to where complaint with relevant MWLP policies.</del> <u>This includes co-location together with existing waste management facilities that would contribute towards integrated waste management solutions as well as co-location with complementary activities at industrial estates, waste management sites, and mineral extraction and processing sites (for proposals for aggregate and/or inert recycling facilities).</u></p> <p>New strategic development areas should incorporate neighbourhood waste management facilities that support the efficient use and recovery of resources and enable communities and businesses to take more responsibility for their own waste. Within rural areas, <del>outside of the location identified in Policy 14</del> the development of facilities for the biological treatment of waste will be supported where: (i) associated with existing rural employment uses or farm-based enterprises; and/or (ii) involving the re-use of previously developed land, redundant agricultural and forestry buildings and their curtilages.</p> <p>The scale and catchment of facilities should reflect the role of the locale with respect to Buckinghamshire's settlement hierarchy.</p> <p>Sufficient non-hazardous landfill capacity exists within the</p>

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			<p>county and so no new capacity is considered necessary.</p> <p>The deposit of inert waste to land should be focused at mineral extraction sites with extant planning permission to facilitate restoration."</p>
MM20	66	Following on from Table 9	Include a new diagrammatic map showing the primary areas and secondary areas of focus identified with a dot.
MM21	68	Policy 15	<p>Amend fourth criterion in the first paragraph to add "or planned" after "current".</p> <p>Delete the first sentence of the third paragraph of Policy 15 ("<del>Preference will be given to sites within the areas of focus for waste management in the MWLP).</del>")</p> <p>Amend the start of the current second sentence to read: "<u>Where the proposal is not located within an area of focus for waste management preference...</u>"</p>
MM22	69	Para 5.99 and Policy 16	Amend to read " <u>...the scale of the development reflects the combined role(s) of the location(s) currently and/or intended to be serviced with respect to ...</u> "
MM23	74	Para 7.11	Amend the end of the second but last sentence to read " <u>site-specific flood risk assessment, including consideration of climate change allowances.</u> "
MM24	74	Para 7.12	Delete fourth (last) sentence of para.
MM25	77	Para 7.24	<p>Add the following at the end of para 7.24:</p> <p>"In parts of the county there are a number of employment areas, identified in Table 9 as areas of focus for waste management facilities that generate HGV movements particularly affecting particular transport hotspots. Any proposals that come forward, may be asked to specifically consider the likely HGV movements that would be generated. As part of the required Transport Assessment/Transport Plan applicants should seek to demonstrate how they can reduce HGV movements compared to the current/previous use on the site."</p>
MM26	81	Map 5	Removal of the 'waste allocations' from the map and key.
MM27	84	Para 7.39	<p>Add new sentence to end of para 7.39:</p> <p><u>"The Buckinghamshire Historic Landscape Character Assessment provides an understanding of the historic dimension of today's landscape."</u></p>
MM28	85	Footnote 46	<p>Amend footnote 46:</p> <p>"National policy identifies AONBs as having the highest status of protection in relation to landscape and scenic beauty. The</p>

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			protection of the AONB also applies to its setting, <u>as consideration must be given to whether land in the AONB is affected by a proposal, not where the effect originates;</u> "
MM29	89	Para 7.56	Amend first sentence of para 7.56:  "The Chilterns AONB was designated for <del>its distinctive landscape, the natural beauty of its landscape and its natural and cultural heritage noted for their special qualities, recognised as being of national importance.</del> "
MM30	89	Para 7.57	Amend para 7.57:  "The AONB Management Plan seeks to deliver on <del>this primary purpose but the primary purpose of conserving and enhancing natural beauty, but also recognises ....</del> "
MM31	90	Para 7.62	Amend para 7.62:  "Small-scale waste management proposals that support the economies and social well-being of communities within the AONB, <del>are likely to be consistent with the secondary objective of AONB designation, mentioned above.</del> In particular, well located and designed local facilities for the preparation of waste for re-use and recycling of waste, that do not conflict with the <del>primary aim purpose</del> of conserving and enhancing natural beauty, <del>will be acceptable in principle.</del> "
MM32	90	Policy23	Amend Policy 23  The <del>special qualities of Chilterns Area of Outstanding Natural Beauty (AONB) for which it was designated are to be conserved and enhanced.</del> "Proposals for minerals and waste development should seek to <u>conserve and enhance the special qualities of the Chilterns AONB</u> , comply with the prevailing AONB Management Plan and other relevant guidance, and demonstrate exceptional circumstances and that the development is in the public interest. Proposals for mineral extraction within the Chilterns AONB and its setting will be permitted where it can be demonstrated that it does not conflict with the purpose(s) of the designation of the Chilterns AONB. Small-scale proposals to extract brickclay for use at the existing <u>and former</u> small scale brickworks of the Chiltern Hills will be permitted within the Chilterns AONB where compliant with relevant MWLP policies. Proposals for waste development within the Chilterns AONB and its setting will be permitted where it can be demonstrated that it: – does not result in harm <del>to the special qualities for which the AONB was designated</del> and does not conflict with the purpose(s) of the designation; and – contributes towards provision of waste management capacity for preparing for reuse and recycling; and – supports the economies and social well-being of local communities in the area; and – includes opportunities, where appropriate, to enhance the character, assets and appearance of the AONB and its setting, including

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			ensuring a high standard of design for development and integration of the site within its landscape setting; and – is compliant with relevant MWLP policies.“
MM33	96	Policy 25	Amend second bullet point:  “The positive integration of the site with the wider landscape or townscape, taking into account the Landscape Character Assessments and areas, <u>Historic Landscape Character Assessment and areas, Conservation Areas and appraisals, Chilterns Area of Outstanding Natural Beauty, Colne Valley Regional Park and other relevant designations.</u> ”
MM34	101	Para 7.96 to 7.99	Replace reference to “buffer zones” with “consultation zones”.
MM35	101	Para 7.96	Amend last sentence: “Proposals for incompatible development within the <u>buffer consultation</u> zones should <u>consider local circumstance and determine the potential for adverse impacts and identify mitigation measures to avoid and/or minimise impacts on both the proposed development and existing and/or allocated waste or mineral development to acceptable levels.</u> <u>Mitigation and/or avoidance are to be implemented prior to occupation. It is the developer’s responsibility to determine site-specific potential impacts, as well as identification and implementation of mitigation measures where necessary.</u> ”
MM36	101	Para 7.98	Delete para 7.98
MM37	102	Para 7.99	Amend first sentence:  “Development <del>should</del> <u>must not be permitted if it would constrain the effective operation of existing or allocated sites for mineral or waste development.</u> ”
MM38		Policy 28	Amend first para:  “Proposals for new development within 300 metres of minerals and waste development (permitted or allocated) and 400 metres of sewage treatment works <u>must should only be permitted where it can be demonstrated that it would not adversely affect the continued operation of, or prevent or prejudice the use of, the permitted or allocated land use.</u> ”
MM39	107	Para 8.22	Add new sub-section at end of para 8.22:  <b>“Review or Partial Review of the Local Plan</b>  Policies in local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. The need for a review or partial review of the MWLP will be informed by changing circumstances affecting the area, any relevant changes in national policy and how the plan is performing against the indicators in the Monitoring Framework in Table 10 including the delivery of

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			waste management facilities to meet the identified capacity gap and their spatial distribution. During the early part of the plan period it is anticipated that more detail in respect of Heathrow expansion and development proposals related to the Oxford-Milton Keynes-Cambridge corridor will be forthcoming and the scale of these could in themselves lead to a review or partial review of the MWLP."
MM40	108	Table 10	<p>Delete Policy 11 (entire row) from the monitoring table. Re-order and re-number the remainder of the table to reflect the subsequent changes to policy numbers.</p> <p>Amend Policy 14 in monitoring table as follows:</p> <p>"First column new wording (with previous wording deleted): Policy 14 Spatial Strategy for Waste Management <i>Contributes towards SO1, SO4</i>"</p> <p>Second column new wording (with previous wording deleted): "Approved proposals are consistent with the Spatial Strategy."</p> <p>Third column new wording (with previous wording deleted): "100% of approvals are consistent with the Spatial Strategy."</p> <p>Fifth column new wording (with previous wording deleted): "More than two proposals are approved (within the plan period) that are not consistent with the Spatial Strategy. Proposals are granted planning permission and then not implemented within two years."</p>
MM41	125	Appendix 3	Delete Appendix 3
MM42	134	Appendix 4	Delete Appendix 4