
Meeting: Sustainable Communities Overview and Scrutiny Committee
Date: 25 October 2011
Subject: The Minerals and Waste Core Strategy
Report of: Councillor Matthews, Executive Member for Sustainable Communities, Strategic Planning and Economic Development
Summary: This report brings forward three matters:
- the Minerals and Waste Core Strategy.
- a revised Minerals and Waste Local Development Scheme (MWLDS)
- the representations received from the Waste Core strategy consultation in 2010, and the Minerals Safeguarding Areas consultation in the spring of 2011, and the recommended responses to them.

The Minerals and Waste Core Strategy will be reported to the Executive in November for approval to undergo public consultation on soundness, and this report is an opportunity to comment on the Minerals and Waste Core Strategy beforehand.

Advising Officer: Alan Fleming, Acting Director of Sustainable Communities
Contact Officer: Lester Hannington, Principal Minerals and Waste Planning Officer.
(Telephone number 0300 300 6219).
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

<p>Council Priorities:</p>

<p>The Minerals and Waste Core Strategy sets out planning policy and identifies strategic sites to manage growth effectively, both in the provision of minerals essential for development, as well as the management of waste arising from society.</p>

<p>Financial:</p>

<p>There are no additional financial implications of this proposed area of work, beyond the budget agreed for the Minerals and Waste Planning Shared Service in the existing Service Level Agreement.</p>

Legal:

It is a requirement of the Planning and Compulsory Purchase Act 2004 that Planning Authorities for Minerals and Waste develop and adopt Local Development Frameworks. The planning policies in the documents within the Minerals and Waste documents will replace the Saved Policies from the Minerals and Waste Local Plan which was adopted in 2005.

Risk Management:

1. The Localism Bill contains provisions for passing fines to Local Planning Authorities who do not have new Waste Plans in place. The Minerals and Waste Core Strategy will provide the planning policy coverage that is required to satisfy the Localism Bill.
2. The Minerals and Waste Core Strategy is sufficiently in conformity with the Regional Spatial Strategy (RSS) to allow for its Submission to be safe, but provides for a level of waste management provision based on more recent local waste data. The minerals reserves identified correspond to those set out in the 2010 revisions to the RSS. These are reflected in the guidelines for the apportionment of aggregates by county areas issued by CLG in September 2011.

Staffing (including Trades Unions):

There are no additional manpower implications of this proposed area of work, beyond the existing Service Level Agreement for the Minerals and Waste Planning Shared Service.

Equalities/Human Rights:

An Equalities Impact Assessment has been undertaken which concludes that there are no issues in respect of equalities, or implications for human rights arising from this proposed consultation.

Community Safety:

There are no issues raised in respect of community safety.

Sustainability:

The Minerals and Waste Core Strategy balances the protection of the environment and the quality of life for local people, with the need to provide minerals and facilities for the management of wastes. A Sustainability Appraisal of this document has been prepared by consultants, and will be made available to the public as part of the consultation exercise. The Sustainability Appraisal finds there are no significant adverse impacts arising from the Minerals and Waste Core Strategy.

Procurement

Not applicable.

RECOMMENDATIONS:

- 1. that the Overview and Scrutiny Committee note:**
 - (a) The representations received from the Waste Core Strategy consultation in 2010, and the Mineral Safeguarding Area consultation in spring 2011, and the recommended responses to them**
 - (b) The intended stages for the future progress of the Minerals and Waste Core Strategy.**
 - (c) The revised Minerals and Waste Local Development Scheme for Submission to the Secretary of State**
- 2. that the Overview and Scrutiny Committee:**
 - (d) Comment on the Minerals and Waste Core Strategy Submission Plan for reporting to the Executive**

The Minerals and Waste Development Framework

1. Work began on the Minerals and Waste Development Framework by Bedfordshire County Council in 2006. At that time, the Framework was intended to include a Statement of Community Involvement (now adopted), a Supplementary Planning Document on Managing Waste in New Developments (now adopted), two Core Strategies, and two Site Allocation Plans, and finally a later General and Environmental Policies DPD. Several public consultations on the Core Strategies and Site Allocation documents took place between 2006 and 2008, before Local Government Re-Organisation.
2. In 2009, Central Bedfordshire Council, Bedford Borough Council, and Luton Borough Council agreed to work together on the Minerals and Waste Development Framework, and put a revised Minerals and Waste Local Development Scheme to the Secretary of State. The 2009 Local Development Scheme set out the intention to merge the two Core Strategies and two Site Allocation Plans into a single Minerals and Waste Core Strategy, which would identify the Strategic sites for future waste management and mineral working which are essential to achieving its Objectives. Further consultations were undertaken on a Waste Core Strategy Preferred Options document in June-July 2010, and on a Mineral Safeguarding Areas document in February-April 2011. The representations received from those two consultations are attached to this report, as well as the recommended responses to them. The Minerals and Waste Core Strategy is a product of merging those previous consultation documents, and includes a Vision, Objectives, and Core Policies to guide how much and where these developments should take place.

3. The timescale of the Minerals and Waste Local Development Scheme has already begun to deviate from that of the 2009 Scheme, as a result of various local and national developments. These include the application to the Infrastructure Planning Commission by Covanta Energy for an Energy from Waste facility at Rookery Pit; the planning appeal against a refusal of permission by Biogen on land at Twinwoods Industrial Estate; the publication of the draft National Planning Policy Framework; and the Localism Bill, presently with Parliament. A more realistic timescale is set out in the revised 2011 Minerals and Waste Local Development Scheme, which is attached to this Report.

Key Messages in the Minerals and Waste Core Strategy

4. The Minerals and Waste Core Strategy (MWCS) (attached to this Report) is a planning policy document which will replace part of the Saved Policies from the Bedfordshire and Luton Minerals and Waste Local Plan. These Policies are presently applied when determining applications for minerals extraction and waste management developments. It should be noted that the Minerals and Waste Local Development Framework has been developed in parallel with the Local Development Frameworks for the north of Central Bedfordshire, and the Joint Core Strategy in the south of Central Bedfordshire. It is expected that following the withdrawal of the Joint Core Strategy in the south that new planning policy documents will be developed for all of the area of Central Bedfordshire, although the timescale for this is unlikely to be immediate. The adopted Core Strategy for the north of Central Bedfordshire may need to be reviewed within the next five years at which time an LDF covering all of Central Bedfordshire could be begun. In the meantime, Central Bedfordshire have formally adopted the Joint Core Strategy for development management purposes, meaning that when deciding any applications for new development in this area the Council will take the Joint Core Strategy into account as a “material consideration”.
5. The Core Strategy identifies the need for more waste recovery, and for non-hazardous waste landfill capacity, to manage the expected growth in locally produced wastes; as well as the need for additional mineral workings for the supply of sand and gravel aggregate, and industrial Silica Sands. Existing reserves of chalk will be sufficient for their present uses. Finally there is no likelihood of a resumption of brick manufacture which would utilise the existing permitted clay reserves in the Marston Vale area.

The Key Policies within the Core Strategy

6. In respect of both minerals and waste, the Core Strategy provides sufficient sites for the needs of the Plan area, which is comprised of Bedford Borough, Central Bedfordshire, and Luton. In respect of the minerals worked in the area these include sand and gravel aggregates, silica sand for industrial uses, and chalk for cement manufacture and building stone. All of these are

expected to continue to be won from within the Plan area. Waste is divided firstly into that which is managed by Local Authorities, and the significantly higher amounts produced and managed by the private sector. In response to this situation, the Core Strategy identifies sufficient capacity for both Recovery and Landfill types of waste management for the anticipated amount of waste that will be produced within the Plan area, as well as for the landfill of a small and diminishing amount of residual waste from London.

7. The Ouse and Ivel Valleys, located to the south-east of Bedford, have a number of active sand and gravel workings, which supply materials to the local construction industry. In addition, there are a number of Silica Sand workings in the Heath and Reach area, north of Leighton Buzzard, which provide material for specialist industrial uses, as well as aggregate. The Core Strategy identifies that new mineral sites will be required in both of these areas, in order to supply local house building industry with construction materials over the next 15 years, as well as the continuing demand for Silica Sand for construction and specialist uses. Using a Sequential Test (which preferred Extensions to Satellite sites, compared to New Sites), additional sand and gravel working sites have been identified, which are mostly extensions to existing sites. A single new Silica Sand site is proposed at Clipstone Brook, near Leighton Buzzard. The proposed additional sand and gravel workings are shown on the plan attached. They are:

- Willington Lock (Bedford Borough)
- Blunham/Roxton (Bedford Borough and Central Bedfordshire)
- Black Cat (Bedford Borough)
- Willowhill Farm (Bedford Borough)
- Bridge Farm (Bedford Borough)
- Land south of Broom village (Central Bedfordshire)
- Land at Clipstone Brook (Central Bedfordshire)

It should be noted that the sites at Black Cat, and land at Broom, are extensions to existing permitted sites. The land at Willington Lock, Willowhill Farm, and Bridge Farm are all located in the Lower Ouse Valley, and are expected to supply sand and gravel to the existing processing plant at Willington Quarry. The land at Clipstone Brook has been identified as having a silica sand resource which could act as a successor to those existing sites which are nearing the end of their active life.

A Plan of the Strategic Mineral Sites is attached.

8. In respect of waste management, the Core Strategy seeks to move towards a materials reusing economy, in which the landfilling of waste will be substantially reduced, and will be progressively replaced by waste prevention, and various forms of recovery operations (which include recycling, composting, anaerobic digestion, and energy recovery). The Minerals and Waste Core Strategy identifies four Strategic sites where new recovery operations can take place predominantly for locally arising wastes. In addition

two sites are identified for the landfilling of non-hazardous wastes (which comprise the majority of municipal collected wastes and business sector wastes). The allocated Strategic sites for Landfilling Non-Hazardous Wastes are Rookery Pit South (Bedford Borough and Central Bedfordshire) and Elstow South (Bedford Borough). The Strategic sites allocated for waste Recovery uses are:

- Elstow North (adjacent to a former landfill site, to the south of Bedford, and directly adjacent to the A6) within Bedford Borough.
- Land at Rookery Pit South (located to the west of Bedford, an extensive area of former brick clay working located between two rail lines, which has the potential to accommodate both landfill and recovery operations), the majority of which is in Central Bedfordshire, with a minority part within Bedford Borough.
- Land at the Brogborough landfill site, (an area of land not in use for landfill operations, located to the west of Bedford, and adjacent to the A421), which lies within Central Bedfordshire.
- Land at Thorn Turn, (north of Houghton Regis, adjacent to the present junction of the A5 and A505), which lies within Central Bedfordshire.

A Plan of the Strategic Waste sites is attached.

9. A significant issue addressed in the Minerals and Waste Core Strategy is the design and layout of waste facilities, since they impinge upon neighbouring occupiers, and can be intrusive in either urban or rural settings. Mineral workings must be operated sensitively, and reclaimed to appropriate afteruses, which can make strong contributions towards the enhancement of the local environment in matters such as biodiversity, public access, and flood mitigation. Many former mineral workings have become nature reserves and country parks, or else returned wholly or partly to valuable agricultural land. One of the existing Silica Sand workings (Pratts Quarry, Billington Road, Leighton Buzzard) is being reclaimed to enable housing to be built following the completion of mineral working.
10. Most aggregate minerals rarely travel substantial distances from their point of origin, such that most sand and gravel produced in the Plan area is likely to be consumed locally. The exceptions are chalk, which is exported by pipeline for cement manufacture, specialist sands and the crushed stone imported into the area by rail to make asphalt. However, by contrast the Minerals and Waste Core Strategy seeks to restrict the origin of wastes to be managed at new facilities in the area, so that the majority of wastes managed here will originate from within Bedford, Central Bedfordshire, and Luton.
11. It should be noted that the Minerals and Waste Core Strategy assists a range of other Strategies to be implemented, such as the Freight Strategies within the Local Transport Plans; the Sustainable Community Strategies; the aspirations for increasing recycling, (which are set out in the National Waste Strategy 2007); as well as for increasing public access and biodiversity.

Conclusion and Next Steps

12. Subject to the approval of the Minerals and Waste Core Strategy by the Executives of all three Councils, there will then be a public consultation on issues of soundness for a period of 8 weeks, during which time the public and interested parties can make representations. 'Soundness' can briefly be summarised as whether the Policies or proposed sites in the Core Strategy are justified by the available evidence, is effective and deliverable, and is consistent with national and local planning policy. The Representations received will then be reported back to the Executive, with any recommended alterations to the Core Strategy. Following further approval by the Executive, the final revised Plan will then be Submitted to the Secretary of State. Following its Submission, an Inspector will be appointed, and an Examination in Public will take place three to four months later. It is anticipated that the Inspector's Report will be received in 2013, and that the Core Strategy can then be reported to each of the three Councils for adoption.

Appendices:

Appendix A – Representations received from the Waste Core Strategy consultation 2010 (available at the following link:

<http://www.centralbedfordshire.gov.uk/environment-and-planning/planning/minerals-and-waste/waste-core-strategy-and-site-allocations.aspx>); the Mineral Safeguarding Areas consultation 2011; and the recommended responses to them.

Appendix B- Minerals and Waste Core Strategy (Pre-Submission Draft)

Appendix C – Minerals and Waste Local Development Scheme 2011

Appendix D - Plan entitled 'Strategic Mineral Sites'

Appendix E – Plan entitled 'Strategic Waste Sites'

Background Papers:

Location of papers: Priory House, Chicksands.

Consultation and Member Engagement:

- The Portfolio Holder for Sustainable Development has been briefed as part of the regular meetings of the Steering Group for the Minerals and Waste Local Development Framework. This Group includes Portfolio Holders of each of the three Councils (Bedford, Central Bedfordshire and Luton) who own the Minerals and Waste Local Development Framework.