
Meeting: Executive
Date: 15 November 2011
Subject: The Minerals and Waste Core Strategy
Report of: Cllr Matthews, Executive Member for Sustainable Communities, Strategic Planning and Economic Development

Summary: To inform Members of the representations received from the Waste Core Strategy consultation in 2010, and the Mineral Safeguarding Areas consultation in the spring of 2011, and the recommended responses to them. The Executive's approval is sought for the Minerals and Waste Core Strategy to undergo consultation on issues of soundness prior to its submission to the Secretary of State and to approve a revised Minerals and Waste Local Development Scheme 2011.

Advising Officer: Gary Alderson, 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: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS

Council Priorities:

The Minerals and Waste Core Strategy is a planning policy document for the control of where, how much, and in what form mineral extraction and waste management will take place to 2028. Mineral extraction and waste management are both essential to the well being and growth of communities within Central Bedfordshire, and the Core Strategy will play a vital role in promoting the effective management of growth.

Financial:

1. The anticipated costs of the next stages in the development of the Minerals and Waste Core Strategy are within the budget of the Service Level Agreement.

Legal:

2. This is a statutory document, part of the Minerals and Waste Local Development Framework. It is a legal requirement for Minerals and Waste Planning Authorities to produce a Local Development Framework for minerals and waste planning according to the Planning and Compulsory Purchase Act 2004.

Risk Management:

3. 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.
4. The Minerals and Waste Core Strategy is sufficiently in conformity with the Regional Spatial Strategy to allow for its Submission to be safe, but provides for a level of waste management provision based on more recent local waste data.

Staffing (including Trades Unions):

5. There are no staffing implications which are not already covered by the Service Level Agreement for this function.

Equalities/Human Rights:

6. An Equalities Impact Assessment has been produced which concludes that there will be some differences in respect of the degree of impact upon different groups in the Plan area. Communities closer to the minerals and waste sites and the transport routes that they use will inevitably be more disadvantaged compared to those communities further away. However, this is inevitable and unavoidable.

Community Safety:

7. There are no issues raised in respect of community safety.

Sustainability:

8. The control of mineral extraction and waste management developments will be undertaken with the aim of reducing the potential for harm and disturbance to the environment as far as possible. The Minerals and Waste Core Strategy has been subject to Sustainability Appraisal which finds no significant adverse impacts.

Procurement:

9. Not applicable.

Overview and Scrutiny:

10. This matter has been considered by Sustainable Communities Overview and Scrutiny, and their comments are attached at Appendix C. The Committee made a specific recommendation that consideration be given when the Waste Core Strategy is reviewed in 2013, as to whether a single Waste Strategy should be produced in the future.

RECOMMENDATIONS:

1. **that the Executive notes:**
 - the representations received from the Waste Core Strategy consultation in 2010;
 - the Minerals Safeguarding Areas consultation in the spring of 2011; and
 - the recommended responses to them;
2. **that the Executive approves the Minerals and Waste Core Strategy Document for public consultation on issues of soundness;**
3. **that delegated authority is given to the Director of Sustainable Communities, after consultation with the Executive Member for Sustainable Communities – Strategic Planning and Economic Development, to make minor amendments to the Minerals and Waste Core Strategy Document prior to consultation on issues of soundness; and**
4. **that the Executive approves the Minerals and Waste Local Development Scheme 2011.**

Reason for Recommendations:

So that the progress on the development of the Minerals and Waste Local Development Framework is maintained; and that the Minerals and Waste Local Development Scheme more accurately sets out timescales for the production of the Minerals and Waste Policy Documents.

Executive Summary

11. The Executive is requested to approve:
 - the Minerals and Waste Core Strategy, for consultation before submission; and
 - the Minerals and Waste Local Development Scheme 2011.
12. Both of these documents are important in the planning control of mineral extraction and waste management developments.

The Minerals and Waste Local Development Framework

13. Work began on the Minerals and Waste Development Framework by Bedfordshire County Council and Luton Borough 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 Allocations 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 took place in 2009.
14. 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 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 consultation was 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 at Appendix A to this report as well as the recommended responses to them.
15. The timescale of the Minerals and Waste Local Development Scheme has already begun to deviate from that of the 2009 Scheme, partly 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 for an energy from waste facility; the publication of the draft National Planning Policy Framework; and the Localism Bill, presently with Parliament. A more realistic timescale is contained in the revised Minerals and Waste Local Development Scheme attached at Appendix D.

The Minerals and Waste Core Strategy

16. The Minerals and Waste Core Strategy (MWCS) (attached at Appendix B) 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 in determining applications for minerals extraction and waste management developments. It should be noted that the Minerals and Waste Local Development Framework is being developed in parallel with the Local Development Frameworks for the north of Central Bedfordshire, and the Joint Core Strategy for 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 a Local Development Framework covering all of Central Bedfordshire could begin. In the meantime, Central Bedfordshire have formally endorsed the Joint Core Strategy for development control 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”. This is of particular concern with regards the site at Thorn Turn, north of Houghton Regis, which is allocated for waste recovery uses in the Minerals and Waste Core Strategy, since this site was due to be released from its present Green Belt designation by the Joint Core Strategy, which allocated three areas of land as Strategic Site Specific Allocations.
17. The origins of the Minerals and Waste Core Strategy lie in five preceding consultation documents:
 - the Waste Core Strategy (last consultation in June-July 2010);
 - the Waste Site Allocations Plan (last consultation in 2008);
 - the Minerals Core Strategy (last consultation in 2007);
 - the Minerals Site Allocation Plan (last consultation undertaken in 2008 concerning a single additional site); and
 - the Minerals Safeguarding Area consultation (undertaken in spring 2011).
18. The Minerals and Waste Core Strategy merges these five preceding documents by providing strategic policy for both minerals, waste, and mineral safeguarding, and allocating Strategic sites for mineral working and waste management (both recovery and landfill). No separate site allocation plans will be progressed.
19. The Minerals and Waste Core Strategy (MWCS) covers a period from 2013 to 2028, and sets out Visions for the control of minerals and waste developments in the Plan area, Objectives, and allocates Strategic Sites.

The Key Policies within the Core Strategy

20. 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 Borough. 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.
21. In respect of minerals, the Core Strategy identifies additional mineral working sites for the supply of aggregates in the Ouse and Ivel valleys, to the south-east of Bedford, (some of which are located in Bedford Borough, some of which are in Central Bedfordshire). In this area there already exist a number of active workings which supply aggregate minerals materials to the local construction industry. There are also a number of active mineral workings supplying Silica Sand in the Heath and Reach area, north of Leighton Buzzard.
22. Additional land is identified for working both aggregate sand and gravel, and silica sand. These sites are:
- Willington Lock (in Bedford Borough Council)
 - Blunham/Roxton (which lies in both Bedford Borough Council and Central Bedfordshire Council)
 - Black Cat (in Bedford Borough Council)
 - Willowhill Farm (in Bedford Borough Council)
 - Bridge Farm (in Bedford Borough Council)
 - Land south of Broom village (in Central Bedfordshire)
 - Land at Clipstone Brook (in Central Bedfordshire).
23. It should be noted that the sites at Black Cat, and the land at Broom, are both 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. Finally, 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 Sand and Gravel Workings is attached at Appendix F.

24. 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 and Elstow South. 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.
25. A Plan of the Strategic Waste sites is attached at Appendix E.
26. A significant issue addressed in the MWCS is the design and layout of waste facilities, since they can impinge detrimentally upon neighbouring occupiers, and can be intrusive in either urban or rural settings. The MWCS contains a Policy which requires attention to be paid to the form of buildings and the layout of the overall site, since this can substantially mitigate their impact. Mineral workings also need to be operated sensitively, and be reclaimed to appropriate afteruses. The reclamation of these sites can make contributions towards the enhancement of the local environment in areas such as biodiversity, public access, landscape enhancement, and flood mitigation. Many former mineral workings have later become nature reserves and country parks, or else reclaimed wholly or partly to valuable agricultural land. One of the existing Silica Sand workings (Pratts Quarry) is being reclaimed so that housing will be built upon the site following the completion of mineral working.
27. Most aggregate minerals rarely travel long 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 for cement manufacture in Warwickshire), and roadstone which is imported into the area by rail to make asphalt (at Elstow and Luton). In addition, industrial (Silica) Sands have increasingly begun to serve markets further from the point of their extraction in recent years. In relation to wastes, the MWCS seeks to restrict the origin of wastes to be managed at new facilities in the Plan area, so that the majority of wastes managed here will originate from within Bedford, Central Bedfordshire, and Luton.

28. It should also be noted that the MWCS 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 greater recycling; as well as for increasing public access and biodiversity; and for increasing flood mitigation.

Next Steps

29. 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 at least six weeks, during which time the public 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, 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 and Mineral Safeguarding Areas consultation 2011, and recommended responses to them.
- Appendix B - Minerals and Waste Core Strategy Plan for Submission.
- Appendix C - The comments of the Overview and Scrutiny from its meeting held on 28 October 2011.
- Appendix D - Minerals and Waste Local Development Scheme 2011.
- Appendix E - Plan of Strategic Waste Sites.
- Appendix F - Plan of Strategic Mineral Sites.

Please note the Appendices have been circulated separately.

Background Papers: None.

Location of papers: Priory House, Chicksands

Consultation and Member Engagement:

- The Portfolio Holder for Sustainable Communities is a member of the Steering Group for the Minerals and Waste Local Development Framework. This Group includes Portfolio Holders of each of the three Councils (Bedford Borough, Central Bedfordshire, and Luton Borough) who own the Minerals and Waste Local Development Framework, and which meets regularly to oversee the progress of the Minerals and Waste Local Development Framework.
- These matters were reported to the meeting of the Overview and Scrutiny Committee held on 28 October 2011. Their comments are listed in Appendix C.