

## Paragraph 1.3 and 1.7 Components of a Core Strategy and tests of Soundness

Name and Organisation	S or U (J /E/ D)	Representation.	PW or CW or AE
Spencer Warren	-	<b>Paragraph 1.3 – the Plan Period</b>	AE
Lafarge		It is a general point and does not go to the soundness of the Strategy but from reading and responding to a number of Core Strategies throughout England all of these documents commence the Plan period from the first consultation of the Issues and Options. We have not seen a Core Strategy with a Plan period proposing to commence from its anticipated point of adoption, in this case 2013. We have checked PPS12 and Companion Guide for clarification on when the Plan period should commence and cannot find any clear guidance. However, to avoid any potential uncertainty and grounds for challenge we feel it is prudent to change the Plan period to when the process commenced, therefore 2006 to 2028. This approach conforms to that taken by the adjoining authorities of Northamptonshire and Cambridgeshire.	
Nick Baston Energos	U	<b>Paragraph 1.7</b> We do not consider the WCS to be sound for reasons that are stated in our consultation response.	AE
Harry Maughan	S	<b>Paragraph 1.3 –</b> Providing sufficient 15 year cover.	CW
The Leighton Buzzard Society			
<b>Explanatory note</b>			

The period of the Minerals and Waste Core Strategy is 15 years, running from the expected adoption date in 2013 to 2028.

**Summary response**

PPS 12 indicates that Core Strategies should have a time horizon of at least 15 years. When Core strategies should begin and end, is not indicated in any planning guidance.

1. The current Minerals and Waste Core Strategy is a very different document from those separate Minerals Core Strategies and Waste Core Strategies that were begun in 2006. Initially there were intended to be separate Core Strategies for minerals and waste, and also separate Site Selection DPDs for Minerals, and for Waste.

2. The Core Strategy has very little weight in planning decisions until it has been submitted.
3. On the basis of these points raised above, it is inappropriate to date the Core Strategy from the date at which any work was started on a replacement to the Local Plan. The relevant time period is that following adoption.

**Recommended change**

None

**Paragraph 1.9- 1.11 Technical Evidence Papers**

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Nick Baston Energos	U - J	The technical evidence papers must form part of the consultation process. We consider it unusual since the WCS uses data derived from the technical evidence base. If consultees have concerns that these data may be in error or have been used in an incorrect fashion to derive the policies in the WCS, it follows that consultees must be able to comment on the evidence base. The WCS consultation document clearly stated that the technical evidence papers did not form part of the consultation process.	AE

**Explanatory note**

All Technical Evidence Papers and Evidence Base documents are publically available, and formed part of the consultation exercise.

**Summary response**

Comments were able to be made on the Evidence Base and Technical Evidence Papers, as well as the Core Strategy

**Recommended change**

**None** (However, any subsequent consultation could highlight that the consultation includes the evidence base and the Technical Evidence Papers).

## Minerals Key Diagram

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Spencer Warren	U - J	<b>Minerals Key Diagram</b> We feel that the Minerals Key Diagram lacks clarity. It would be helpful if it were on an OS base as per the plan at Section 8 showing the locations of the strategic sites. It would also be improved if the location of permitted sites was clearly shown, the hatching makes it difficult to interpret and we feel that this could be improved with specific referencing of each site. We would also expect to see the inclusion of land use designations where there are known constraints, in particular the South Bedfordshire Green Belt and the Chilterns Area of Outstanding Natural Beauty.	AE
Lafarge			
Tom Gilbert Wooldridge	U - E	Unsound Reason: Not justified – most appropriate alternative approach. The Minerals Key Diagram in Chapter 1 does not refer to all of the Mineral Safeguarding Areas (MSA) as shown on the draft Proposals Map. In particular, the Key Diagram does not show the MSA for Cornbrash Limestone in the north of the plan area (nor does it show the Gault Clay MSA). Cornbrash Limestone is an important building stone in the Upper Ouse Valley and can be use for maintaining historic buildings and structures as well as new builds. Whilst we appreciate that the Key Diagram is only supposed to show strategic elements from the Proposals Map, the incomplete display of all MSA types across the plan area could be misleading and imply that some MSAs are more important than others. We recommend that the Minerals Key Diagram is amended to show all of the MSAs, in order to ensure the soundness of the Core Strategy. Without it, the plan would not be effective in terms of being clear and consistent.	CW
English Heritage			

**Explanatory note**

- That the Key Diagram should have an OS base and show the existing sites and MSA.

**Summary response**

The 2008 Companion Guide to PPS12 states that '*the waste planning authority should produce a core strategy that makes good use of graphical material to identify sites/areas, including a key diagram where this aids understand and succinctness*'.

Para 2.13 and annex A of PPS12 states that Authorities can produce key diagrams in Core Strategies illustrating the spatial strategy underpinning it as expressed by its spatial strategy and spatial objectives. Broad strategies and social, environmental and economic links with surrounding areas.

- Key diagrams help to explain the spatial approach of the Minerals and Waste Core Strategy. The diagrams show the key messages, the broad locations of existing and future minerals and waste sites, their relationship with significant designations and primary and the secondary freight networks. To achieve this purpose it is not necessary for the diagram to be shown on an OS base. To do so would add a level of detail not required in key diagrams. However, major settlements, the neighbouring authorities and the plan boundary have been shown.
- The Key diagram should not be confused with the proposals map which is on an OS base and which shows the exact locations of strategic sites.
- The Minerals Key Diagram has been designed to be as clear as possible in expressing the minerals strategy. A number of different methods of shading were tested and the clearest method used to show general concentrations of permitted sites and strategic sites as well as the Mineral Safeguarding Areas.
- The Key Diagram is 'diagrammatic' and shows how the Plan area relates to the surrounding area and main areas of search.
- It would be too complicated to show all permitted sites, and is not appropriate for a Key Diagram.
- The Spatial strategy for Minerals is not based on the location of the Green Belt and the AONB so it would be inappropriate and misleading to show these designations on the Mineral Key Diagram.

#### **Recommended change**

- 1. Delete Mineral Safeguarding Areas and existing permitted mineral sites from the Key Diagrams (apart from the chalk which are ongoing).**
- 2. Show the general areas of existing workings and of the strategic mineral sites.**
- 3. Add arrows (wide representing large flows, narrow representing small flows) to show imports/ exports of minerals – say this briefly e.g. 'crushed rock', 'building stone').**

## Chapter two: Plan area and Policy Context

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Tom Gilbert Wooldridge  English Heritage	U -	It is regrettable that the overview of the plan area omits reference to the historic environment, how it defines local character and how it is affected by minerals and waste planning. At the very least, there should be information on the numbers of designated heritage assets across the plan area, but there should also be an attempt to define the area's overall historic character, drawing on the Historic Environment Records (HERs) that exist for the individual local authorities and liaising with local conservation and archaeology staff. There are existing historic characterisation studies for the Plan area, including historic landscape characterisation and extensive urban surveys (within the HER), as well as conservation area appraisals, all of which can provide an overview of the local historic environment and how this should be managed in respect of mineral and waste planning.	CW

### Explanatory note

1. Chapter Two details the key characteristics of the Plan area, and policy considerations.
2. Historic Environment Records were considered during the Sustainability Appraisal process.

### Summary response

The primary determinant of the location of future minerals extraction is the presence of a viable deposit, whereas in relation to waste management facilities there are a number of opportunities and constraints on where such facilities can be located. The saved General and Environmental Policies consider a broad range of environmental issues, including archaeology and historic buildings (policies GE1 (I) and GE14, 15 and 16). The Minerals and Waste Core Strategy is a strategy document concerning the broad provision of minerals and waste capacity, and does not benefit from detailed consideration of the history of the plan area. However, reference can be made in the text to 'heritage assets'

### Recommended change

**Add 'the location of some heritage assets' after 'landscape and wildlife designations' to paragraph 5.2.**

## Paragraphs 2.2-2.4 Strategic and Local Transport Network

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Nick Baston Energos	U	The A6 is not mentioned - the A6 is an important highway link between Bedford and Northampton and is identified as a freight route. Refer to the A6 as an important highway link in the Plan Area.	AE
Kirsten Berry ERM on Behalf of Covanta Energy	S	<p><b>Paragraph 2.2</b> The A6 between Bedford and Northampton is an important highway link and is identified as a freight route so should be referred to as such</p> <p>Paragraph 2.2 states '<i>The Plan area is well connected by road and rail ...</i>'. Later paragraphs of the draft Core Strategy advise (for example at paragraph 4.34) that there is not an '<i>extensive rail network</i>' to enable waste (or minerals) will be transported by this mode. However, the use of rail can contribute to the delivery of sustainable development, and where there are opportunities for its use (as are recognised within the draft Core Strategy) these should be promoted through policy. There is very little such promotion in the draft Core Strategy. Detailed representation is made in our response to the Objectives (at paragraph 4.1.5 of this Representation) and in response to policies WCP 4 and 17 (Section 5.3).</p>	AE
Rio D'Souza Highways Agency	S	<p>The Highways Agency, on behalf of the Secretary of State, is responsible for the management, maintenance and enhancement of the Strategic Road Network in England. In relation to spatial planning and development control, the Highways Agency seeks to be actively engaged in all stages of the planning process, and part of our role is to aim to deliver sustainable development policy in cooperation with Local Authorities.</p> <p>The Highways Agency recognises the intrinsic relationship between spatial planning and the transport network, and we are mindful of the effects that planning decisions may have on the operation of the Strategic Road Network and associated junctions. The Highways Agency can no longer be expected to cater for unconstrained traffic growth generated by new development and we therefore encourage development policies and proposals which incorporate measures to reduce traffic generation at source.</p> <p>In and around Bedfordshire, the Highways Agency has responsibility for the M1, A1, A5 and A421. The</p>	

routes serve an important function in facilitating the movement of traffic over long distances. Part of the A5, in particular the section within Dunstable, also serves an important local distributor road function.

For ease of reference, I have where possible indicated the paragraph, page or policy number of the MWCS which my comments relate to. I have also made reference to some of the technical evidence paper to gain a greater understanding of your plans and policies.

### **Explanatory note**

1. The Plan area has two north to south intercity rail lines and one more local line running from Bletchley to Bedford.
2. The A6 is shown on various plans within the Core Strategy, and is part of the Designated Road Freight Network.
3. Several major distributor roads are mentioned but not the A6

### **Summary response**

The Plan area is connected by three rail lines, but not extensively connected. The A6 is indicated within the plan and its importance is acknowledged.

There is a saved transport policy GE22 that refers to alternative means of transport to road.

### **Recommended change**

1. **Amend paragraphs 2.2 to indicate the presence of three rail lines only within the Plan area.**
2. **Add the A6 to the list of other major freight roads in the last sentence of paragraph 2.2.**

### Paragraph 2.7 Land Use Planning Designations and Environmental Enhancement Areas

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Janet Nuttall  Natural England	S	At the Preferred Options stage, Natural England made a suggestion that at Paragraph 2.7 on Page 11, it would be useful to recognise the existing biodiversity interest of the Forest of Marston Vale as evidenced by the former mineral sites designated as County Wildlife Sites. The recommended response was that reference be added to acknowledge the general biodiversity interest of Marston Vale. It is not evident that this addition has been made. Natural England requests that the change is made prior to submission. Natural England is disappointed to see that the paragraph on Areas of Outstanding Natural Beauty (AONB) and Green Belt designations has been removed. This was previously included under paragraph 2.10 (AONB and Green Belt designations) in the Waste Core Strategy Preferred Options draft. Natural England supported the statement that waste management facilities would be inappropriate within the Chiltern Hills AONB. We request that this paragraph be reinstated in its entirety to safeguard the Chiltern Hills AONB and the Green Belt.	AE

#### Explanatory note

1. Several parts of the Core Strategy area have significant biodiversity interest. More specifically the land use circumstances of each site was taken into account when Strategic sites were selected.
2. The Evidence Base includes a comprehensive range of information about all of the suggested sites, and this includes information on biodiversity and designations.
3. General reference is made to land use planning designations and environmental enhancement areas.

#### Summary response

1. It is unnecessary to repeat one of the land use considerations in developing the spatial strategy for waste, and the selection of strategic sites.
2. The Core Strategy is a statement of Policy which looks forward to where, when, and how development should take place.
3. The circumstances in relation to the Joint Core Strategy (for non-minerals and waste developments in south Central Bedfordshire and Luton ) have now changed, since it was withdrawn, and work has begun work on a comprehensive Local Development Framework for all of the area of the Central Bedfordshire Council.



4. The suggested repeat of a section from the Waste Core Strategy Preferred Options consultation document is out of place, since circumstances have changed.
5. The working of many mineral sites may result in increase in biodiversity – not just in the Marston Vale
6. There are saved policies that relate to minerals/waste development in the Marston Vale, Greensand Trust area, Ivel and Ouse valleys and the Green Belt (policies GE 2-5); AONB policy GE5; also saved policies relating to enhancement of trees, woodlands, nature conservation (GE10-13),

**Recommended change**

None.

**Paragraph 2.9 – 2.12 National Policy**

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Nick Baston  Energos	U - NP	<p><b>Paragraph 2.10</b> No reference or link is made between waste management facilities (thermal treatment) and the generation of low carbon renewable energy (electricity and heat) - this is a significant omission - and ignores the contribution that Energy Recovery Facilities will have towards reducing the impact of climate change particularly the negative environmental effects associated with landfilling waste and generating energy from fossil fuels. Reference should be made to the National Planning Policy Statements, which are material planning policy documents to renewable energy schemes below the 50MW threshold, and to PPS 22.</p> <p><b>Paragraph 2.11</b> Refer to the fact that PPS 10 will remain in force. No mention of National Planning Policy statements that are a material consideration when considering renewable energy schemes regardless of generation capacity. The NPPF is at this time still a consultation document so must be afforded limited weight until such time that it becomes policy - clarify the weight to be given to the NPPF.</p>	AE

The NPPF is not yet adopted and is the subject of consultation as such is of limited weight in the determination of planning applications - the paragraph should be amended to reflect that although a material consideration is of limited weight until such time it is adopted. Refer to the continuation of PPS 10 in relation to National Planning Policy.

**Explanatory note**

The planning policy context in England is changing considerably at present (spring 2012), with an emerging National Planning Policy Framework which will, when adopted, replace all extant PPS', PPGs, and MPS. PPS 10 is to be updated and will form an annex to the National Waste Management Plan, which is expected to be published for consultation around July 2012 and issued around April 2013. The ability of waste recovery processes to generate energy is acknowledged in page 21 of the Core Strategy, and a specific policy – WCP 11- addresses this issue.

European, National, Regional and Local policy relevant to the Core Strategy is set out.

**Summary response**

Chapter 2, the section on Policy, would be more comprehensive if it included a reference to the National Policy Statements. Update policy sections as appropriate

**Recommended change**

**Include a reference to National Policy Statements, to updating PPS10, and to the National Waste Management Plan in the Policy Section.**

**Paragraph 2.16 and 2.17 Local Policy**

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
<b>Nick Baston</b> Energos	U - NP	The importance of the saved policies has to be considered in the context of more recent European and National Planning Policy documents - limited weight should be given to the saved policies where they conflict with more recently published National and European planning policy. Add that where there is conflict with more recently published documents the most recently policy is to be given supremacy.	AE
<b>John Balaam</b> The Greensand Trust	S	The paragraph should recognise the supremacy of more recently published European and national waste management/energy/environmental planning policy where there is conflict with the saved policy of the Waste Local Plan. <b>Paragraph 2.16</b> The Sandpit Strategy for the Leighton/Heath & Reach area has recently been updated, and is endorsed by CBC, and H&R Parish Council. It provides a strategic view of positive restoration in the area. This Strategy and its scope should be mentioned.	CW
<p><b>Explanatory note</b> The saved General and Environmental policies address the detailed locational and environmental impacts of minerals and waste developments.</p>			
<p><b>Summary response</b></p> <ol style="list-style-type: none"> <li>1. There is no conflict between the saved General and Environmental Policies with national or European policy. However the national planning policy framework may make some of the saved policies redundant, and these would be reviewed when a separate General and Environmental Policies DPD is produced.</li> <li>2. The weight given to local, regional and national legislation will be determined at the time of consideration of a planning application.</li> <li>3. The Heath and Reach Sandpit Strategy does not have the same weight in planning decisions as adopted Community Strategies, but is a material consideration. Strategies can change over time and it is not considered to refer to specific strategies in the Plan Area.</li> </ol>			

**Recommended change**

**Add to paragraph 2.18: 'Where there is more recent legislation, and where the Saved policies are overtaken by changes**

at European and national policy level, then it is acknowledged that more recent legislation prevails.’

### Vision for Waste and paragraph 3.2

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Tom Gilbert- Wooldridge  English Heritage	U - J	<p>As with the overview of the plan area in Chapter 2, the vision for waste planning lacks reference to environmental issues, including the historic environment. We highlighted this concern in our response to the Waste Core Strategy Preferred Options consultation in July 2010 and it does not appear to have been addressed. There is no recognition of the important role that the historic environment plays in defining the character and appearance of the plan area and how it will be addressed in waste planning terms. Paragraph HE3.1 of Planning Policy Statement 5 (PPS5) states that “local development frameworks should set out a positive, proactive strategy for the conservation and enjoyment of the historic environment in their area” and the Vision seems a good opportunity to state such a strategy. Furthermore, paragraph 4.2 of PPS12 states that “the vision should be informed by an analysis of the characteristics of the area and its constituent parts and the key issues and challenges facing them”.</p> <p>We therefore consider that the Core Strategy is unsound as is not consistent with national policy (including the draft National Planning Policy Framework, which largely carries forward the above statements from the two PPSs). The vision for waste should be amended to incorporate reference to environmental issues in order to address the lack of soundness. The final sentence could simply read “The natural, built and historic environment will be preserved and, where possible, enhanced”, although more locally specific wording could be used instead.</p>	CW
Sarah Gorton  Heath and Reach Parish Council	S	<p>The Parish Council:</p> <ul style="list-style-type: none"> <li>* welcomes the vision for waste, particularly with regard to reduction of Municipal Solid Waste (MSW) and Commercial and Industrial waste (C&amp;I) going to landfill, and with regard to recognition of the need to make a positive contribution to mitigating climate change.</li> <li>* is aware that inert waste is still required to enable restoration of existing quarries in the parish (Waste Core Policy 16).</li> <li>* holds the view that CBC policy should oblige quarry owners and operators to work future quarries</li> </ul>	CW

		without having to transport large quantities of inert waste to be used as infill for restoration (Waste Core Policy 17).	
<b>Lizzie Barnicoat</b>	-	The Parish Council also have the following general comments to make:	AE
Elstow Parish		They disagree with the Spatial Vision as the Plan area is not defined and reference is made to receiving an apportionment of wastes from London, the Council feel again there is no clear definition of the type of waste nor the volume of waste from London. The Council disagree strongly that Bedfordshire should receive or manage any waste from outside of Bedfordshire.	
<b>Nick Baston</b>	U - NP	The vision should acknowledge that the cross boundary movement of waste is inevitable and can provide the most sustainable solution - the vision statement needs to be expanded to account for such cross boundary movement. The cross boundary movement of waste has been considered in a number of recent Inspectors/Secretary of State decisions in the form of catchment restrictions in relation to renewable energy schemes and the imposition of such restrictions have been rejected.	AE
Energos		The vision should refer to the importance of the waste hierarchy. Whilst seeking to minimise the amount of waste being landfilled the vision should also refer to maximising the recovery of energy (in the form of electricity and heat) from waste that cannot be reused recycled or composted. The vision does not refer to the Governments zero waste to landfill aspirations and the fact that the landfilling of waste should be reduced as quickly as possible through the timely approval of alternative waste management infrastructure i.e. energy recovery capacity.	
		<b>Paragraph 3.2</b> The Plan should provide enough waste management capacity for the amount of waste arising within the Plan area - remove the statement - the most important message is that waste will mostly originate from within the Plan area. Add the most important message is that waste will be managed in accordance with the waste hierarchy in order to reduce the negative environmental effects of disposing of waste to landfill particularly climate change and the lost opportunity, to recover value from waste that this represents.	

**Explanatory note**

The Plan area and Vision are derived from previous consultations since 2006.

**Summary response**

1. The Waste Vision is primarily concerned with the provision of additional waste capacity in order to address the needs of the Plan area in

the period to 2028.

2. Quarry workings need to be reclaimed to an acceptable and appropriate landform, and to do so can frequently require inert wastes as fill in order to engineer the site an appropriate and suitable landform. However the reclamation of former mineral workings without the use of imported fill materials will be encouraged wherever feasible.
3. The Plan area is defined at paragraph 2.1.
4. The volume and types of wastes to be received from London are set out in Waste Technical Evidence Paper Two.
5. The cross boundary movement of waste is not always the most appropriate solution, and the majority of wastes can and should be managed within the planning area within which they arise.
6. The Waste Objectives do relate to the waste hierarchy, since reduction is promoted as a priority, and additional recovery and disposal capacity is provided only sufficient for the volume of waste arisings predicted from within the Plan area, plus a small amount of pre-treated waste from London.
7. The objectives feed into the vision, and cover environmental matters, including those of heritage issues.

#### Recommended change

1. Add to the first sentence of the Waste Vision, such that it reads '*....economy, in which waste is managed with the least possible harm to the environment of the plan area, and its occupants.*'
2. A list of the saved policies will be placed in an Appendix to the Plan and referred to in the text for policies WCP3 and MCP7

#### Vision for Minerals and paragraph 3.6

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
Tom Gilbert-Wooldridge	S	We welcome the reference to environmental protection in the vision, assuming that this includes the historic environment.	CW
English Heritage David Payne	S	We support the Vision for the steady and adequate supply of minerals to meet national and regional	CW

<p>Mineral Product Association <b>David Payne</b></p>	<p>U</p>	<p>needs which is consistent with MPS1</p> <p>Paragraph 3.6 is a very negative statement focusing on potential negative impacts. This introduction should reflect the actual Vision statement and acknowledge the positives of mineral extraction in terms of their importance to the national and local economy, and the environmental enhancement often delivered through restoration and after-use.</p>	<p>CW</p>
<p>Mineral Products Association</p>		<p>Overall we support the setting of objectives but we object to the wording in the text which we contend represents an unbalanced vision. We have the following comments which we believe would help reflect a balanced vision for minerals:</p> <p>Objective 1. Amend to ‘To provide for appropriate reserves for aggregates...’          Objective 2: Amend to ‘To identify strategic sites...’          Objective 3: Amend to ‘To safeguard mineral resources’ ..... ‘increasing the use of secondary and recycled aggregates’</p> <p>In the supporting text under Objective 3 remove the word ‘permanent’ so it reads ‘protected from sterilisation by other developments’. The word permanent is superfluous and inconsistent with paragraph 5.35 where the term ‘permanent’ is not used. Minerals Safeguarding accounts for all types of development including non-permanent therefore this is not consistent with national policy. The supporting text also states, in addition, further reserves ‘should only be made available for working when needed’. This is inconsistent with national policy which advises MPAs to allocate resources so reserves are available for the plan period and beyond. MPS1 advocates the approach of specific sites, preferred areas and areas of search. This hierarchical approach is not adopted in this document.</p> <p>Objective 4. Amend supporting text to ‘These impacts can be minimised by planning controls and operator best practice’. This would help to give the minerals Vision the balance it seeks to achieve.</p> <p>Objective 5. Amend the supporting text to better represent the benefits of minerals developments to read,</p>	

<p><b>David Walton</b> Sibelco UK</p>	<p>U – J and E</p>	<p>‘However the working of minerals can also bring benefits such as employment, enhanced access, increased biodiversity, nature conservation opportunities and social and leisure opportunities’.</p> <p>We object to paragraph 3.6 regarding the extraction of minerals and the minerals vision which seeks to ‘balance these issues’. If the Core Strategy is to be balanced then the minerals vision should acknowledge in this paragraph the positives of mineral extraction in terms of their importance to the national economy. Paragraph 3.6 reads in the negative as a constraints statement, and certainly does not seek to balance the issues.</p> <p>Unsound</p> <p>Reason: Not justified or effective</p>	<p>AE</p>
<p><b>David Walton</b> Sibelco UK</p>	<p>U – E, J and NP</p>	<p>Overall we support the setting of objectives but we object to the wording in the text which we contend represents an unbalanced vision. We have the following comments which we believe would help reflect a balanced vision for minerals:</p> <p>Objective 1. Amend to ‘To provide for appropriate reserves for aggregates...’</p> <p>Objective 2: Amend to ‘To identify strategic sites...’</p> <p>Objective 3: Amend to ‘To safeguard mineral resources’ ..... ‘increasing the use of secondary and recycled aggregates’</p> <p>In the supporting text under paragraph 3 we suggest removing the word ‘permanent’ so it reads ‘protected from sterilisation by other developments’. The word permanent is superfluous and inconsistent with paragraph 5.35 where the term ‘permanent’ is not used. Minerals Safeguarding accounts for all types of development including non-permanent therefore this is not consistent with national policy.</p> <p>The supporting text also states, in addition, further reserves should only be made available for working when needed’. We object to this sentence as it is inconsistent with national policy which advises MPA’s to allocate resources in advance so reserves are available for the plan period and beyond. MPS1 advocates the approach of specific sites, preferred areas and areas of search. This national approach is not adopted in this document.</p> <p>4. Amend supporting text to ‘These impacts can be minimised by planning controls and operator best practice’. This would help to give the minerals vision the balance it seeks to achieve.</p>	<p>AE</p>



5. Amend the supporting text to better represent the benefits of minerals developments to read, 'However the working of minerals can also bring benefits such as employment, enhanced access, increased biodiversity, nature conservation opportunities and social and leisure opportunities'.

Unsound

Reason: Not effective, not justified and not consistent with National policy (MPS1)

**Mr John  
Balaam**

Y

We strongly support the inclusion of Minerals Objective 7. The Leighton Linlade and Heath & Reach Sandpit Strategy should also be included as it is an area based plan endorsed by CBC, the town and parish council and sets out objectives for high quality restoration bringing environmental and social benefits.

The  
Greensand  
Trust

**Explanatory note-** The Minerals vision sets out the intention to enable a steady supply of minerals in accordance with national policy whilst taking account of environmental constraints. Paragraph 3.6 does set out potential impacts but these are balanced by the benefits set out in some of the objectives such as Objective 5. Minor rewording of some of the Objectives is proposed to accord with that in MCP1. MCP1 does not require the identification of sites, preferred areas and areas of search. There are a range of possible approaches to the identification of new mineral sites depending on the level of information available. We have sufficient information about the sites and the reserves present to be able to identify specific sites and there is no need to identify Areas of Search to maintain sufficient reserves for the Plan period. This approach provides certainty for the operators and for local communities. Sufficient mineral has been identified to meet the apportionment for the Plan period. It is anticipated that there will be at least one review of reserves during the Plan period at which point additional sites can be identified if required to maintain reserves and the 7 year landbank. Whilst it is beneficial for benefit to be derived from mineral extraction it is not considered appropriate to revise the wording. There are a number of Strategies within the Plan Area. However, these can change over time and it is not considered appropriate to refer to specific ones.

#### **Summary response**

Minor rewording of the Objectives and/or supporting text is proposed to take account of comments made and to more closely reflect the wording in MCP1.

No change proposed on site selection.

Reference to specific river basin management plans etc changed to 'water cycle management plans' to accommodate a range of water related plans.

**Recommended change**

**No change to approach on site selection but reference to be made to identifying specific sites in the supporting text to Objective 1.**

**Minor changes to wording in the Objectives –**

**Strategic Objective 1** - *'To provide* for appropriate reserves for aggregates and specialist silica sands *in line with national and sub-regional guidelines'*

**Strategic objective 2** - *'To identify* strategic sites for the supply of identified mineral needs and to ensure these sites represent the most sustainable options'

**Strategic objective 3** – no change as not considered to be inconstant with national policy MPS1

The word 'permanent' to be deleted for supporting text to Objective 3.

The words "and operator best practice" to be added to supporting text of Objective 4.

Reference to 'opportunities for leisure and social activities' added to the supporting text of Objective 5

**Strategic Objective 7** amended. To ensure the appropriate restoration and after-use of mineral workings **and protect and enhance biodiversity and the green infrastructure, including heritage assets, of the Plan Area**, taking particular account of the potential to make contributions to the aims of Biodiversity Action Plans, Green Infrastructure Plans, Outdoor Access Improvement Plans, and River Basin ~~Water~~ **Water Cycle** Management Plans.

**Paragraphs 3.4 and 3.5: Strategic Objectives for Waste**

Name Organisation	S or U	Representation The term 'aggregate sand and gravel' is not incorrect although it is acknowledged that much of this material is used for concreting purposes.	PW or CW or AE
	(J /E/ D)		
Tom Gilbert-Wooldridge  English Heritage	S	We welcome the inclusion of Strategic Objective 7 relating to cultural, social and environmental heritage (as well as Objective 5), which underlines the case for explicit reference to the environment in the vision. However, the wording of the last sentence in Objective 7 is somewhat vague. We would disagree that the scope for negative impact on cultural, social and environmental heritage is limited from waste management sites, even if they are located on "brownfield" sites. Depending on the design, scale, bulk and height of schemes and the surrounding landscape and topography, many waste management	AE

<p><b>Neville Benn</b> Environment Agency</p>	<p>S</p>	<p>development could have scope for negative impacts. It is also not clear why large scale schemes may be able to provide enhancements to cultural, social and environmental heritage. While the overall objective is sound, it would be helpful to amend the second sentence based on the above concerns.</p> <p><b><u>Waste</u></b></p> <p>The Core Strategy has addressed waste management setting out clear strategic objectives and identifies sites appropriate for the location of waste treatment facilities throughout the Plan Area. Waste Legislation and Policies, both European Union and national are acknowledged including the Waste Framework Directive 2008. The compilation of Waste Core Policies within the Strategy sets a framework for waste management for future years within the Plan Area. The inclusion of the Technical Evidence Papers supports through good evidence and produces details and objectives along with the strategic document, showing a commitment towards sustainable waste management.</p>	<p>CW</p>
<p>We have the following comments on particular details of the Core Strategy and supporting documents.</p>			
<p><b><u>Waste Core Strategy</u></b></p>			
<ul style="list-style-type: none"> <li>• Creates objectives for the future of waste management and opportunity for the development of new waste treatment facilities to cater for waste arisings in the Plan Area.</li> <li>• Recognises landfill is not a good environment option</li> <li>• Encourages the design of waste facilities to blend with their environment.</li> <li>• Waste facilities to be located in areas that can accept additional traffic. However, locations such as farms diversifying into waste management and proposing to undertake Composting or Anaerobic Digestion activities should not be dismissed without due consideration. These sites are likely to be small scale and may not be affected.</li> </ul>			
<p><b>Kirsten Berry</b> ERM on Behalf of Covanta Energy</p>	<p>U – J, E</p>	<p><b>Paragraph 3.4</b> states that the strategic objectives for waste management which would deliver the Vision of the draft Core Strategy will be translated into a ‘Spatial Strategy’.</p> <p>Despite careful review of the draft Core Strategy there is no detail given of the ‘Spatial Strategy’. <b>It is submitted that the draft Core Strategy is unsound.</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It is not justified – there is no clear evidence base to justify the position take in the document.</li> <li><input type="checkbox"/> It is not effective - it is not able to promote a spatial strategy for the sustainable management of waste.</li> <li><input type="checkbox"/> It is not consistent with the requirements of PPS 12 to provide a spatial planning framework.</li> </ul>	<p>AE</p>

Soundness may be achieved by including text that makes clear the spatial strategy of the draft Core Strategy.

**Paragraph 3.5** presents the eight Waste Objectives of the Core Strategy.

Covanta substantially agrees with these objectives, but would take this opportunity to comment on: the lack of reference to rail transport within the Objectives; and Objective 8. Rail transport 4.1.5 Unusually for a minerals and waste core strategy, there is no reference to rail transport within the Objectives. This is despite rail being potentially deliverable at the intended strategic sites. Whilst this mode of transport is not always easy or cost-effective to deliver, it does contribute to the sustainable management of wastes (and minerals). Representation 2 It is submitted that the draft Core Strategy is not unsound in relation to rail transport, but can be improved to make it more effective and compliant with national policy. Reference to a desire for rail transport would be appropriate in: Objective 2 - particularly in relation to waste from outside of the Plan Area; Objective 6 as increased rail transport would relieve pressure on the road network and consequently benefit road safety; and Objective 8 rail transport would reduce traffic, making a positive contribution to the carbon agenda. Objective 8 The explanatory text for the Objective 8 principally focuses on matters of traffic management, rather than distance, an approach that Covanta would support. However, it is important that the Objective is not used to inappropriately restrict the source of wastes that may be managed at any particular waste management facility proposed. This matter is addressed in more detail in our representations made to policy WCP6.

Actions listed under Objective 3 seeks to provide non-hazardous landfill capacity based on the assumption that 100% of waste will be pre-treated before either intensive residual treatment or landfilling. Representation 11 It is submitted that the draft Core Strategy is unsound. It is not consistent with the requirements of the Revised WFD or national waste documents, which do not set a target expectation for pre-treatment. Further it is not consistent with the Objectives or policy of the Core Strategy. It is not effective, in that it is not clear how it will be monitored and it may prevent otherwise appropriate waste management development. It is not justified there is no clear evidence base to justify the position take in the document. Soundness may be achieved by removing this reference. Actions listed under Objective 4 states that the Core Strategy sets out a spatial distribution for the location of strategic and non-strategic waste management. Such a spatial strategy is missing from the Core Strategy. Actions listed under Objective 8 seeks to develop a network of waste facilities

in close proximity to the source of arisings?, which have suitable access and road networks.

<b>Janet Nuttall</b>	S	<p>It is submitted that the draft Core Strategy is unsound. It is not consistent with the Revised Waste Framework Directive, Waste Strategy for England 1007, the Government Review of Waste Policy in England 2011, or PPS 10. It is not justified there is no clear evidence base to justify the action. It is not effective the action may serve to prevent the effective delivery of sustainable waste management infrastructure Soundness may be achieved by removing this reference.</p> <p>With regard to the Strategic Objectives for Waste, Natural England welcomes the amendment to Objective 5 to “protect <i>and enhance</i> the biodiversity and landscape fabric of the plan area”, based on a previous consultation response from ourselves at the Preferred Options Stage.</p>	PW
<p>Natural England <b>Lizzie Barnicoat</b></p>	U - J	<p>Elstow Parish Council disagree with the Core Strategy Objectives in relation to objection 1. there is no definition or reference regarding London wastes, the statement includes ‘agreed’ yet no reference to who has agreed this and is very presumptive that London waste must be managed in Bedfordshire.</p> <p>Elstow Parish Council feel very strongly that a large number of smaller size sites equally distributed across the Plan should be used as the Preferred Option for the Spatial Distribution of Strategic Recovery Sites. The Parish Council strongly disagree with the use of Elstow North as a WEEE facility, as having just one identified site for electronic items means a large bias to that one area receiving all such items from the whole of Bedfordshire. This naturally is detrimental to the environment and does not follow the government policy on reducing carbon footprint, through transport. It would be far more sensible and carbon friendly for smaller sites in operation in each area.</p>	AE
Elstow Parish			
<b>Nick Baston</b>	U - J	<p>Objective No 4 – the statement is not justified it does not make the link between waste management facilities and the generation of renewable energy - a flexible criteria based approach should be adopted in relation to waste management facilities that also generate renewable/low carbon electricity and heat. PPS 22 is clear that a criteria based approach is most appropriate.</p> <p>Objective No 8 the level of traffic generation associated with waste management facilities will depend on a number of factors but mostly the capacity of the proposed facility - the statement is not justified. The relationship of capacity to vehicle numbers should be recognised - access to waste management facilities should be appropriate to the amount of traffic generated.</p>	AE
Energos			
		<p>Objective No 7 the statement that waste management facilities will be located in areas previously used for mineral working should be clarified - this is acceptable in relation to landfill sites that can restore</p>	

<p><b>Mr Peter Scott</b></p> <p>CPRE</p> <p><b>Mr Jon Balaam</b></p>	<p>U</p> <p>S</p>	<p>worked out mineral sites but are not appropriate locations for built waste management infrastructure which should be located on previously used/vacant industrial land.</p> <p>Incineration of waste can also be a waste of resources as it results in their destruction and contributes to emission of greenhouse gases.</p> <p>We welcome Waste Objective 5. We would suggest that the wording is improved to ensure that any 'enhancement' is in keeping with the local and wider landscape.</p>	<p>AE</p> <p>CW</p>
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**Explanatory note**

The Waste Objectives amplify the waste Vision and the purposes of the Waste Core Policies.

**Summary response**

1. The Spatial Strategy is set out in paragraphs 4.5 to 4.16.
2. An increased reliance upon rail would allow greater importation of waste from outside of the Plan area. This is neither sustainable nor desirable.
3. The Regional Spatial Strategy 2008 contained specific provision for London waste to be managed within the East of England Region. It was accepted by Members at previous Executive meetings to include this provision in the Waste Core strategy 2010 and the Minerals and Waste Core Strategy published in December 2011.
4. The Plan identifies a small number of large sites to ensure that outside sensitive areas such as the AONB there are sufficient sites to bring forward strategic recovery facilities that will be required to manage the non hazardous waste and c&I waste to be generated within the Plan area. However, there will also be small sites for waste management brought forward through criteria based policies.
5. Waste Objective 4 specifically refers to recovery of materials and energy.
6. Waste Objective 7: large scale waste schemes may be willing to provide some contribution to enhancement of heritage assets in nearby areas.
7. Waste Objective 7: amend wording to text to read: 'The scope for **positive** impacts on cultural, social, or environmental heritage is limited, but large scale schemes may be able to provide enhancements to these characteristics.'
8. Waste Objective 8: a series of footnotes will be added to show the origins of assertions made in the Core Strategy.
9. The reference to former mineral working sites' is purely part of the text supporting the Objective, and not part of the Objective itself.

**Recommended change**

1. Insert a section heading before paragraph 4.5- 'Spatial Strategy for Waste'.
2. Insert wording into the Waste Vision to refer to protection of various characteristics of the environment.
3. Insert a series of footnotes to show the origins of assertions made in the Core Strategy.
4. In the text to Waste Objective 4, second sentence, amend to read: '*The Core Strategy will identify Strategic waste management sites and.....*'
6. In the text to Waste Objective 7, amend the text by inserting a comma after: '*activity*'
  
7. Objective 7 should refer to 'positive impact' and not 'negative impact'

## Strategic Objectives for Minerals

Name and Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
<b>Tom Gilbert- Wooldridge</b>  English Heritage	S	Comments on Strategic Objectives for Minerals: We welcome the inclusion of Strategic Objective 4 relating to environmental impacts, assuming that this includes the historic environment. Objective 6 is helpful, with its reference to sympathetic restoration proposals to safeguard landscape character. Objective 7 is also useful with its reference to green infrastructure (GI) plans, as this would incorporate the historic environment (which forms part of GI). It would be helpful if the supporting sentence to Objective 7 included explicit reference to the enhancement of heritage assets.	CW
<b>David Payne</b>  Mineral Products Association	U	Paragraph 3.6 is a very negative statement focusing on potential negative impacts. This introduction should reflect the actual Vision statement and acknowledge the positives of mineral extraction in terms of their importance to the national and local economy, and the environmental enhancement often delivered through restoration and after-use.  We support the Vision for the steady and adequate supply of minerals to meet national and regional needs which is consistent with MPS1.  Overall we support the setting of objectives but we object to the wording in the text which we contend represents an unbalanced vision. We have the following comments which we believe would help reflect a balanced vision for minerals: Objective 1. Amend to 'To provide for appropriate reserves for aggregates...' Objective 2: Amend to 'To identify strategic sites...' Objective 3: Amend to 'To safeguard mineral resources' ..... 'increasing the use of secondary and recycled aggregates' In the supporting text under Objective 3 remove the word 'permanent' so it reads 'protected from sterilisation by other developments'. The word permanent is superfluous and inconsistent with paragraph 5.35 where the term 'permanent' is not used. Minerals Safeguarding accounts for all	AE



types of development including non-permanent therefore this is not consistent with national policy. The supporting text also states, in addition, further reserves 'should only be made available for working when needed'. This is inconsistent with national policy which advises MPAs to allocate resources so reserves are available for the plan period and beyond. MPS1 advocates the approach of specific sites, preferred areas and areas of search. This hierarchical approach is not adopted in this document.

Objective 4. Amend supporting text to 'These impacts can be minimised by planning controls and operator best practice'. This would help to give the minerals Vision the balance it seeks to achieve.

Objective 5. Amend the supporting text to better represent the benefits of minerals developments to read, 'However the working of minerals can also bring benefits such as employment, enhanced access, increased biodiversity, nature conservation opportunities and social and leisure opportunities'.

**Spencer Warren** U – E, J

**Strategic Objective 1 for Minerals**

Amend to 'To *provide for* appropriate reserves ... This will ensure conformity with MPS1.

AE

Lafarge U - J

**Strategic Objective 2**

Amend to 'To *identify* strategic sites ... This will ensure conformity with MPS1.

U – J

**Strategic Objective 5 for Minerals**

We are concerned about the requirement for tangible benefits to be derived from mineral working undertaken and do not believe such an objective is justified. There is no similar requirement within the Strategic Objectives for Waste and therefore we question the soundness of the Plan for conformity. Additionally, there is no requirement within MPS1 for tangible benefits to be derived from mineral working. Reference is made to the benefits that can be achieved through the appropriate restoration of mineral workings and this is included within Strategic Objective 7.

**Sarah Gorton** S

The Parish Council considers that, among the Strategic Objectives for Minerals in section 3.6:

\* the wording of the comment below objective 4 should be strengthened: 'reclamation of mineral working sites can lead to enhancement of the environment' should be changed to 'reclamation of mineral working sites must lead to enhancement of the environment'.

• Under objective 5, enhanced access is very difficult to obtain both during working (when there is often loss of access for several decades) and afterwards; the Strategy should contain obligations for enhancing access.

\* the wording of the comment below objective 7 should be strengthened: 'provides an opportunity for enhancements in relation to' should be changed to 'leads to requirements to enhance'.

Heath and Reach Parish Council

CW

<b>Janet Nuttall</b> Natural England	S	With regard to the Strategic Objectives for Minerals, Natural England suggests that Objective 4 includes examples of the “ <i>other sustainability gains</i> ” to be made through mineral working.	CW
<b>Mr David Walton</b>  Sibelco UK	U	We object to paragraph 3.6 regarding the extraction of minerals and the minerals vision which seeks to ‘balance these issues’. If the Core Strategy is to be balanced then the minerals vision should acknowledge in this paragraph the positives of mineral extraction in terms of their importance to the national economy. Paragraph 3.6 reads in the negative as a constraints statement, and certainly does not seek to balance the issues. Unsound Reason: Not justified or effective.  Overall we support the setting of objectives but we object to the wording in the text which we contend represents an unbalanced vision. We have the following comments which we believe would help reflect a balanced vision for minerals: Objective 1. Amend to ‘To provide for appropriate reserves for aggregates’. Objective 2: Amend to ‘To identify strategic sites’ Objective 3: Amend to ‘To safeguard mineral resources... increasing the use of secondary and recycled aggregates’ In the supporting text under paragraph 3 we suggest removing the word ‘permanent’ so it reads ‘protected from sterilisation by other developments’. The word permanent is superfluous and inconsistent with Paragraph 5.35 where the term ‘permanent’ is not used. Minerals Safeguarding accounts for all types of development including non-permanent therefore this is not consistent with national policy. The supporting text also states, in addition, further reserves should only be made available for working when needed. We object to this sentence as it is inconsistent with national policy which advises MPAs to allocate resources in advanced so reserves are available for the plan period and beyond. MPS1 advocates the approach of specific sites, preferred areas and areas of search. This national approach is not adopted in this document. 4. Amend supporting text to ‘These impacts can be minimised by planning controls and operator best practice’. This would help to give the minerals vision the balance it seeks to achieve. 5. Amend the supporting text to better represent the benefits of minerals developments to read, ‘However the working of minerals can also bring benefits such as employment, enhanced access, increased biodiversity, nature conservation opportunities and social and leisure opportunities. Unsound Reason: Not effective, not justified and not consistent with National policy (MPS1).	
<b>Mr John</b>	S	We strongly support the inclusion of Mineral Objective 7. The Leighton Linlade and Heath &	

**Balaam**

Reach Sandpit Strategy should also be included as it is an area based plan endorsed by CBC, the town and parish council and sets out objectives for high quality restoration bringing environmental and social benefits.

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**Explanatory note.** The term ‘environment’ is intended to be used broadly and to include such matters as heritage assets. Paragraph 3.6 does indicate that there will be impacts on both local communities and the environment as a result of mineral extraction. This is balanced by positive aspects of mineral extraction in the objectives – in particular the opportunities for enhancement through restoration and long term benefits to communities.

The Minerals Vision sets out the positive aspects of protecting and enhancing the environment as well as the impacts. It seeks to obtain minerals in the most sustainable way.

With regard to access this is addressed in saved policy GE21. Also the supporting text to Objective 5 refers to ‘enhanced access provision’.

- MPS1 states that should ‘seek to protect and enhance the overall quality of the environment once mineral extraction has ceased....high standards of restoration .... range of after uses’. It is considered not unreasonable for the Councils to seek benefits for those communities affected by mineral extraction over a period of years. This may be through the nature of the after use; including additional rights of way, country parks, biodiversity improvements etc.

The Plan is able to be site specific as a number of sites have been put forward with details of reserves. There is, therefore no need to identify preferred areas or areas of search as set out in MPS1. This provides certainty to both operators and local communities.

**Summary response**

**It is not considered that the meaning of Objectives 1, 2 and 3 is different from that in MPS1. However, changes are proposed to Objectives 1 and 2 to more strictly accord with the wording of MPS1 and to acknowledge that MPAs need to make provision for the sub-regional apportionment of the current national and regional guidelines for land won aggregate. Also minor changes are proposed to other objectives or supporting text to address comments put forward.**

**Recommended changes**

**1. Strategic Objective 1 - ‘To *provide* for appropriate reserves for aggregates and specialist silica sands *in line with national and sub-regional guidelines*’**

**2. Strategic objective 2 - ‘To *identify* strategic sites for the supply of identified mineral needs and to ensure these sites represent the most sustainable options’**

- 3. **Strategic objective 3** – no change as it is not considered to be inconsistent with national policy MPS1. The word 'permanent' is deleted from the supporting text as it is not needed.
- 3. **Strategic Objective 4**: reference to be made in supporting text to 'operator best practice'
- 2. **Strategic objective 5**: reference to be made in the supporting text to 'leisure and social activities'
- 4. Add reference to the identification of specific sites and the lack of need to identify Preferred Areas or Areas of Search as a result in text of Objective 1.

**Paragraphs 4.1- 4.4 Waste Arisings and Additional Capacity**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Neville Benn  Environment Agency	S	<p>Please see our response to Technical Evidence Paper 1 (reproduced below):</p> <p><u>Waste Technical Evidence Paper 1:Waste Data</u></p> <p>2. Municipal Solid Wastes (MSW) - We agree with the conclusions.</p> <p>3. Commercial and Industrial Wastes (C&amp;I) - We agree with the lack of C &amp; I data. This may require more detail explanation with regard to the ADAS findings similar to that of the RSS 2008 data that is provided here.</p> <p>4. MSW and C&amp;I Waste Streams - There is no mention of 'Residual Waste' as MSW and C&amp;I waste stream which in itself is a significant part of waste arisings, while the principle recycling streams are mentioned and describe in a little detail.</p> <p>Remainder - We support the remainder of the waste technical papers as they describe other wastes like Hazardous including Clinical and WEEE, Low Level Radioactive wastes, Construction, Demolition and Excavation wastes, Sewage and Agricultural waste. The Paper finishes with several sources of</p>	CW

information from waste studies.

Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity

Clarification sought: Does the Permitted and Operational capacity refer to those sites with planning permission or the Environment Agency Permitted waste sites?

MSW Forecasts - We agree with the calculation for landfill the paper recognises that there will still be a requirement for landfilling, even with 100% of waste undergoing some form of treatment as this is due to the fact that some waste treatments lead to residue waste and that there is no alternative but to landfill.

C & I Forecasts - We support as it is difficult to project C & I tonnages therefore the scenarios presented within the Paper are the best position for the forecasting of C & I waste arisings.

Waste Imported from London - We agree that the paper recognises and uses scenarios based on the East of England's RSS that states there will be diminishing waste arising from London and that such waste will be the residue from treatment for disposal at landfill.

Remainder of the Paper - We have no issues with the assumptions being made on the remainder of this Paper 2 from Recycling through to the various waste streams like food, green and hazardous wastes. Also Construction, Demolition and Excavation wastes while accepting that the data is not reliable, the Paper uses information based on a commissioned report from BRE which is the best available data and would support the three scenarios put forward.

<p><b>Peter Scott</b></p> <p>CPRE</p>	<p>U</p>	<p><b>4.2</b> - It is our belief that waste arisings will decrease over this period rather than increase. The proposed policy would lead to over-provision.</p>	<p>CW</p>
<p><b>Kirsten Berry</b></p> <p>ERM on Behalf of Covanta</p>	<p></p>	<p><b>4.4</b> - Incineration even with energy recovery is generally a waste of valuable recyclable resources. <b>Paragraph 4.2, and Table 1</b>, present the total waste arisings anticipated to require management over the Plan period.</p> <p>ERM has reviewed the evidence base (principally Technical Evidence Paper 2 on Need for Additional Waste Management (TEP 2)) and find that it is difficult to ascertain which scenario has been used to</p>	<p>AE</p> <p>AE</p>

Energy

produce Table 1. It would be advantageous if the link between the evidence base and the policy presented in the draft Core Strategy was clarified.

**Paragraph 4.3 and Table 2** present the additional recovery capacity required to manage municipal and commercial and industrial wastes.

It is not wholly clear how the figures presented at Table 2 are derived, despite the explanation set out at paragraph 4.3. Table 14 of TEP 2 presents figures that are the closest to those presented in Table 2 of the draft Core Strategy, barring the figure for the year 2028/29.

The **footnote attached to Table 2** of the draft Core Strategy confirms that, at the time of writing, there was 449,000 tonnes per annum (tpa) of existing operational capacity. 449,000 tpa is also presented at Table 1 of TEP 2, which refers (at paragraph 3.3) to Table 13.1 in Appendix A. It is possible to calculate 449,000 tpa of capacity from Table 13.1, but it is not very clear from the presented evidence base. Further, ERM believes there is an error in reporting the capacity of Oakley Littlewoods (W/84). Table 13.1 refers to 42,000 tpa but planning application documentation refers only to 30,000 tpa. This would result in a slight change to the existing operating capacity, reducing it to 437,000 tpa. Covanta seeks further clarity and asks for these important tonnage figures to be clearly explained and justified. This may be most appropriately achieved through preparation of an audit trail document that presents all key figures relied upon in the draft Core Strategy and clear explanation of how they have been calculated. However, Covanta is pleased that the draft Core Strategy relies upon operational capacity, rather than permitted.

**Kirsten Berry** S

ERM on Behalf  
of Covanta  
Energy

**Generally**, there is no distinction made in the draft Core Strategy, either at this point or in proposed policy, between 'recycling' and 'other recovery'; two different and distinct levels of the waste hierarchy.

***Rail transport***

Unusually for a minerals and waste core strategy, there is no reference to rail transport within the Objectives. This is despite rail being potentially deliverable at the intended strategic sites. Whilst this mode of transport is not always easy or cost-effective to deliver, it does contribute to the sustainable management of wastes (and minerals).

AE

**It is submitted that the draft Core Strategy is not unsound in relation to rail transport, but can be**

**improved to make it more effective and compliant with national policy.**

Reference to a desire for rail transport would be appropriate in:

- Objective 2 - particularly in relation to waste from outside of the Plan Area;
- Objective 6 – as increased rail transport would relieve pressure on the road network and consequently benefit road safety; and
- Objective 8 – rail transport would reduce traffic, making a positive contribution to the carbon agenda.

**Objective 8**

The explanatory text for the Objective 8 principally focuses on matters of traffic management, rather than distance, an approach that Covanta would support. However, it is important that the Objective is not used to inappropriately restrict the source of wastes that may be managed at any particular waste management facility proposed. This matter is addressed in more detail in our representations made to policy WCP6.

**Graham  
Jenkins**

U - J

AE

**Waste management requirements: Paragraph 4.2 and table 1.**

The paragraph and supporting table 1 set out projections for waste which will need to be managed in the plan area at defined points during the plan period and cumulatively over the 15 year plan period. It is presumed that such figures are derived from Waste Technical Evidence Paper 2, and reliance upon a 'low scenario A' forecast, compared to alternative 'high scenario' and 'low scenario B' forecasts.

The Deposit Plan lacks clarity in explaining the rationale behind and justification for the choice of the 'low scenario A' forecast. Since the projections are central to the assumptions and strategic policies of the plan, greater detail is required within the plan itself, rather than intermittent cross references to technical evidence papers.

In the context of the above, this element of the Plan is not considered to be 'justified' in the context of a lack of proper explanation of the choices made from the evidence base (and the plan itself is confusing and incomplete in terms of an absence of a full explanation for the forecast which has been chosen). The Plan also lacks flexibility in terms of effectiveness in relying upon a single forecast, with no apparent

O & H  
Properties

contingency measures to accommodate any revisions to the forecasts.

In order to make the document sound, there needs to be a full and proper explanation for the choice of the 'low scenario A', with greater detail within the Plan setting out the forecasts, and recognition that the actual waste arisings may differ from the assumptions made.

**Nicky Upton**

Harlington  
Parish Council

The Core Strategy covers many aspects and, as might be expected from such a large number of supporting documents is thorough in its examination of the issues affecting waste management and minerals planning within the County. Nevertheless, there are some anomalies and loose ends that need to be resolved, particularly where they affect Harlington.

CW

**Waste**

2) Despite various studies and models, the actual amount of locally arising waste that has to be dealt with is still open to conjecture. (Including Low Level and Very Low Level Radioactive Wastes). As a result, 'best estimates' (guesses?) have had to be used. The extent to which there is a deficit or a surplus of waste processing, treatment and disposal capacity in the future, depends upon which estimate one chooses. Generally, I do not think that anyone is being disingenuous in their choice of estimate, but the cynic in me would expect things to be worse than hoped for.

3) A reasonable assessment of the amount of materials recycling, waste treatment and 'recovery' over the study period has been made. I would question the amount of residues that will still require to be disposed of by landfill following thermal treatment (20-30% of input as ash), or the amount of digestate (sludge) coming from Anaerobic Digestion plants (approximately 70% of the input) that can be 'used /lost' on land, both of which are likely to be greater than the estimates. This will exacerbate the projected deficit in non-hazardous landfill capacity.

There is also a projected deficit in landfill capacity for inert (Construction & Demolition C&D) materials unless further recycling of these materials is achieved, which would at the same time take the pressure off freshly won minerals.

4) There is also a projected potential shortfall in waste treatment capacity. I say potential because whilst permission has been given to Covanta to proceed with a thermal treatment facility in Rookery South (disused claypit south of Stewartby), there is no guarantee that it will proceed. The size of the unit



proposed is more than enough for Bedfordshire's needs so waste will come in from elsewhere. Curiously, and despite brave words elsewhere promoting sustainable transport (but accepting that road is the preferred option), there is no requirement for this waste to come in by rail, despite the site being bracketed by two railway lines and there being an existing and underutilised rail terminal in Stewartby's 'Forders' sidings.

5) Notwithstanding the Covanta plant, there is also a projected shortfall of other waste treatment and processing plants. Central Beds is currently obtaining proposals for the management of its BEaR project, and offers as one of its strategic sites, Thorn Turn (where the Leighton Buzzard by-pass meets the A5). However, I see that this site may have gone into limbo (Waste TEP3 - 7.3/7.4), and therefore it will be up to the imagination of the contractors to use the other strategic sites or find new ones. The Strategy's approach is to wait and see what planning applications might emerge.

6) Bedfordshire is also obliged to accept 'pre-treated' waste from London, but again I would cynically say that the pre-treatment is unlikely to be monitored assiduously. The quantities are not huge and the strategy aims to reduce them over the study period, but according to Waste TEP4 - 1.3, none of these pre-treatment facilities in London have yet been built. Again the opportunity to insist that it arrives by rails seems to have been missed, especially as a viable waste rail service operated between Hendon and Stewartby rail terminal for the past 25 years

**Nicky Upton**

Harlington  
Parish Council

8) The maps also show how vulnerably close Harlington is to Luton and Dunstable with little in the way of waste management facilities serving that conurbation at present. Given that there is an identified shortfall in waste treatment facilities, and an identified plan to build 54,000 new homes in Central Bedfordshire, it is to be expected that a waste treatment facility will eventually be close to Harlington, particularly if it has good connections to the road network. The road off the roundabout on the A4120, used for the (still incomplete and not likely to be achieved in the 10 year time slot identified) capping of Sundon Landfill could be ideal. Especially if the sand quarry or other land were made available. The Strategy is coy about where waste treatment facilities might pop up.

9) There are existing waste management facilities at Herne Grange Farm (composting) near Toddington and Faldo Road (Composting, In-vessel Composting and Anaerobic Digestion) near Barton Le Clay. Composting may sound innocuous but if performed in the open air (eg windrowing), can be obnoxious. Interesting that even in ex-Soviet countries, composting must be done indoors and the air emissions

cleaned before discharge. We should insist on any future establishments near Harlington doing the same, and enclosing not only the process but the reception of the waste input and the loading out of any products.

10) There is a deficit in wood recovery and this might be an attractive venture for a rural area. Caution is recommended on two counts. Noise from wood chippers and fire.

Nick Baston

U

Tables 2 and 3

PW

Energos

**Explanatory note**

The Minerals and Waste Core Strategy uses the best available information to derive calculations as to the future amounts of waste that will require management. In order to provide the additional waste recovery and disposal capacity needed, the Core Strategy identifies a number of Strategic sites, and identifies the suitable types of locations for generic waste uses in policies WCP 8 to WCP 16.

**Summary of representations and recommended responses:**

1. The waste arisings totals quoted in paragraph 4.2 and Table 1 have been derived from the projections of future waste arisings set out in Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity. The MSW figures utilised are set out in table 3, page 10 (Low scenario A); the C&I figures are set out in table 6, page 12 (Low scenario A); the CD&E figures are the sum of C&D arisings set out in table 38, page 64 (Low scenario B) and excavation waste set out in table 42 (low scenario B); the London figures have been taken from table 9 on page 17 (low scenario).
2. The additional recovery capacity required to manage MSW and C&I wastes arisings have been derived from chapter 6 (Recovery Capacity Gap) of Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity. As explained in TEP2, the capacity shortfall figures have been calculated in two stages: Firstly the minimum annual levels of recovery required have been calculated by applying adopted RSS recovery targets to the annual projections of future MSW and C&I arisings as anticipated under the 'low A' scenarios (for MSW see table 3, for C&I see table 6). To calculate the capacity shortfall, existing operational recovery capacity (believed to be 449,000 tonnes per annum at the time of writing) has been subtracted from these annual tonnages – see table 14, page 23.

3. The figures presented in Table 2 of the draft Core Strategy are derived from table 14 of Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity. They are identical those in TEP2 except that that have been rounded up to the nearest 1,000. The comment regarding the figure for 2028/29 is unsubstantiated - the additional recovery capacity required at 2028/29 according to TEP2 is 218,648, the figure quoted in the draft Core Strategy is 219,000 tonnes.
4. There is an error reporting the capacity for Oakley Littlewood. Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity states that the capacity is 42,000 tonnes per annum. This is incorrect, and in fact, the amount of food waste which may be imported for treatment is restricted to 30,000 tonnes per annum.
5. Waste Technical Evidence Papers 1 and 2 set out the figures relied upon in the draft Plan for Submission and explain how they have been calculated. These papers are under review by Development Management colleagues to review these (as part of soundness self-assessment work) to determine whether they are clear and whether the assumptions made are reasonable and justified.
6. The distinction between recycling and other recovery is expressed at page 21. The Minerals and Waste Core Strategy uses a definition of recovery derived from Directive 2008/98/EC, and the list of operations which are included in this definition are out in the Glossary. These include composting, recycling, anaerobic digestion, gasification, pyrolysis and energy recovery. Whilst national targets for the recycling MSW exist (WSE2007), equivalent targets for the recycling of C&I wastes do not, meaning that it has not been possible to apply targets for recycling to overall tonnages of non-hazardous waste. Instead the CS utilises overall recovery (as defined in the Glossary) targets taken from the adopted EoE Plan (2008). However, 'Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity' has attempted to calculate the future requirement for MSW recycling and composting capacity by applying WSE2007 targets to projected tonnages of MSW) and comparing this to existing operational capacity within the Plan area (see Waste TEP2, chapter 7 for details).
7. Rationale behind and justification for the choice of the 'low scenario A' forecasts is set out in Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity. To summarise, MSW Low Scenario A utilises local forecasts produced by the three Waste Disposal Authorities which cover the Plan area, using historical baseline data drawn from the Waste Data Flow System for 2009/10, and projecting forward using projected household formation taken from the three Local Development Frameworks which cover the Plan area. This is considered to be more reliable than the MSW high scenario which used MSW survey data produced by DEFRA in 2003/04 as its baseline, and projected forward using housing targets set out in Policy H1 of the RSS (adopted 2008) - both the baseline MSW arisings and the MSW growth rate have been significantly less than those set out in the RSS (2008). In addition there are a range of initiatives concerning the reduction of waste arisings, at national and local level, which support the belief that the growth in wastes will generally be lower rather than higher during the Plan period. C&I Low Scenario A utilises C&I

forecasts taken from the Submission Draft RSS (2010) which were themselves based on forecasts taken the National Study into Commercial Industrial Waste Arisings (ADAS, 2009). The method utilised by ADAS looks at waste arisings by sector using the standard industrial classification (SIC), and projects forward by linking waste forecasts to projected economic growth on a sector by sector basis. This approach is considered to be more reliable than the high scenario (which used RSS (2008) forecasts based on Environment Agency data from 2002/3 and projected forward assuming a cumulative growth rate of 3% per annum) since it accounts for specific sector growth, whereby those sectors with high rates of waste production per employee are in relative decline as compared to those with lower rates. Thus, whilst overall employment is anticipated to grow throughout the Plan period, this will not necessarily mean an increase in C&I arisings. In addition to this, as with MSW, both the baseline C&I arisings and C&I growth have been significantly less than forecast in the RSS (2008). In addition there are a range of initiatives concerning the reduction of waste arisings, at national and local level, which support the belief that the growth in wastes will generally be lower rather than higher during the Plan period. Consequently the preferred option for waste growth utilized in the Plan for Submission is the low growth scenario.

8. The disposal of process residues is discussed in Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity. To summarise all recovery processes give rise to residues which will require further treatment or disposal. Whilst this proportion can range from as little as 2% to as much as 30% depending on the technology employed (see Waste Technical Evidence Paper 4: A summary of outputs from key waste recovery technologies), this Core Strategy assumes that any process residue which is generated will be subject to additional recovery processes which will reduce its volume further. On this basis the proportion of residues which will have to be landfilled will be small, and is assumed to be equivalent to 5% of that undergoing recovery.
9. The method utilised by the Plan for Submission is believed to be both flexible and robust. The forecasts used are guidelines rather than tramlines, and represent the minimum levels of recovery which the Plan seeks to deliver. WCP2 identifies four strategic sites which can each provide capacity of at least 75,000 tonnes per annum. If all four sites were developed during the Plan period then they could provide a theoretical capacity of at least 300,000 tonnes per annum. Adding this figure to existing operational capacity would give a capacity of 737,000 tonnes per annum. It should be noted that whilst the forecasts utilized in the CS are necessary as a basis for the CS, they do not accurately prescribe the number of new facilities needed. This is because the annual throughput of large scale waste facilities is relatively flexible, and can be built to accommodate throughput ranging from 75,000 tonnes per annum, to four, five, or six times this amount. This is partly because most waste management facilities are modular in nature. This illustrates that the strategic sites identified under WCP2 offers sufficient flexibility in terms of delivering additional recovery capacity should future arisings be greater than those projected in Waste Technical Evidence Paper 2.

Recommended change

- 1. Add footnote at paragraph 4.2 and table 1 summarising the source of the figures.**
- 2. Add footnote at paragraph 4.3 and table 2 summarising the source of the figures.**
- 3. Amend capacity of Oakley Littlewood quoted in Waste TEP2, and revise existing operational capacity utilised in the calculation of future capacity, reducing to 437,000 tonnes per annum and amend forecasts accordingly.**
- 4. Review Waste TEPs 1 and 2 to see whether information and rationale could be expressed more clearly.**
- 5. Add footnote to Plan for Submission reference the definitions of recovery and recycling set out in waste TEP2, and chapter 7 of TEP2 which attempts an assessment of need for additional recycling capacity. Revise definition of recovery set out in the glossary.**
- 6. Amend Waste TEPs 1 and 2 to explain the rationale behind and justification for the choice of low growth scenarios, and add footnotes to CS cross-referencing the relevant sections of the TEPs.**
- 7. Review and amend Waste TEP2 to explain the rationale behind and justification for residual proportions utilised in the landfill calculations etc.**

## Paragraphs 4.5 - 4.11: Strategic Waste Sites and waste streams

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Neville Benn</b>  Environment Agency	S	We support the position to develop additional forms of recovery operations with identified land.  <b>4.7</b> – We support the attempt to move up the waste hierarchy away from landfilling.  <b>4.8</b> – We agree that the strategy recognises the need for hazardous waste arisings in the Plan Area to be dealt with by specialised sites outside the Plan Area.  <b>4.10</b> – We agree with the comments.  <b>4.11</b> – We agree with the data assumptions for C & I wastes as there is little accurate data available.	CW
<b>Peter Scott</b> CPRE <b>Kirsten Berry</b>  ERM on Behalf of Covanta Energy	U	<b>4.5</b> - Land at Elstow North should be adequate for recycling through the plan period and there is no need to consider such provision at Rookery South. <b>Paragraph 4.5</b> introduces the four strategic sites intended to be allocated for the development of waste management operations. Covanta agrees that strategic sites should be allocated in the Core Strategy.  <b>Paragraph 4.6</b> states that these sites <i>'can accommodate large scale waste recovery uses (as defined under Annex 2 of the 2008 Directive).'</i>  There is no definition provided for large scale. A definition would be beneficial, although it is recognised that this distinction is not carried through into the proposed policy.  <b>Paragraph 4.9</b> states that the <i>'strategic sites identified in Policy WCP2 are available to develop facilities within the Plan area for this purpose.'</i>	CW  AE

This purpose at paragraph 4.9 is in relation to municipal waste. If such a statement is to be made at this paragraph, similar wording should also be provided at **paragraph 4.10**, which addresses commercial and industrial wastes.

**Nick Baston** U – J **Paragraph 4.5** AE

What constitutes a strategic waste site and how has this been arrived at - the statement is not justified.

Energos U **Paragraph 4.6** PW

**Explanatory note**

1. PPS12 2008 included provision to identify strategic sites in Core Strategies. No guidance or definition was provided about what constituted a strategic site in terms of size or nature.
2. A definition of Strategic waste sites in the Minerals and Waste Core Strategy is contained in paragraph 4.3, and further detail is set out in Waste Technical Evidence Paper 5. Definitions of Strategic minerals and waste sites will be placed in the Glossary.

**Summary response**

1. A definition of the potential range of throughputs for Strategic non-specialised waste management facilities will be added to the glossary.
2. It would be useful to show the linkage between Waste Core Strategy Preferred Options 2010, and the Minerals and Waste Core Strategy 2011-12.

**Recommended change**

1. **Add to the Glossary a definition of a Strategic site as follows: ‘A Site without which the Plan would not be able to achieve its objectives. This can be defined in terms of criteria a range of throughput for waste management sites of at least 50-60.000 tonnes per annum of non-specialised municipal, commercial, or industrial wastes. In respect of specialised wastes, these include facilities for hazardous, clinical or nuclear wastes’.**
2. **Add a footnote to show how the Low Growth Scenario was selected.**

## Paragraph 4.12 – 4.16 and table 2: Non-Hazardous Waste and Landfill requirements

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Nick Baston	U	<b>Paragraph 4.11, 4.13, 4.16</b>	PW
Energos Neville Benn	S	4.12 – We support the comments.	CW
EA		4.13 – We agree with the comments, but it is important that waste facilities are in place to achieve recovery targets or an acceptance that waste will be exported from the Plan Area to achieve set targets.	
Graham Jenkins	U - J	4.16 – We support this as it allows for the development of new waste facilities. <b>Landfill Requirements: paragraph 4.12 and table 2</b>	AE
O &H Properties		Table 2 suggests a cumulative requirement for the landfilling of some 5.7 million tonnes of non-hazardous waste in the plan period to 2028/29. The source of this calculation needs to be confirmed in the Plan. It is assumed that it is derived from tables 4, 6 and 9 of Technical Evidence Paper 2, but this is unclear. The cross-references within the Plan are also unclear, with table 3 of the Plan suggesting a landfill requirement for 311,660 tonnes in 2028/29, but with paragraph 4.13 suggesting a requirement for 332,000 tonnes at 2028/29.  It is also assumed that the assumptions regarding imports from London are derived from the apportionment set out in the Submission Revised RSS (table 9), rather than the figures in the Adopted 2008 RSS (table 8). The figures set out in the Submission Revised RSS have not been tested at examination, nor will they be as a consequence of the impending revocation of the RSS. Further	



justification is required for the reliance placed on draft and untested figures set out in the Submission RSS, since adherence to the Adopted RSS apportionment figure would increase the cumulative landfill requirement by some 800,000 tonnes over the plan period. At the very least, this highlights the need for some flexibility in the volume of waste to be imported from London.

In the light of the above, the Plan is not considered to be justified in terms of a robust evidence base, and it does not appear to be effective in terms of an absence of flexibility to change.

The Plan should be amended to provide further detail on the basis for the landfill requirements and London Waste apportionments, and a range of landfill between some 5.7 and 6.5 million tonnes within the plan period.

Ian Norton

U

Discussions have been held with the Joint Authorities and recently representatives of WRG met with representatives of the Joint Authorities and Bedford Council. This representation and its associated proposals as shown on the attached plan supersedes the representation made on the Bedford Site Allocations and Designations DPD in November 2011.

AE

WRG

The basis of these discussions were to present our proposals for Elstow South and to allay Joint Authority's concerns regarding the status of Elstow Pit South as a strategic allocation for non hazardous landfill. Attached are copies of our indicative proposals that we presented at the recent meeting. It sets out the basis for this representation.

Table 3 of the CS sets out the cumulative non-hazardous landfill capacity requirements up until 2028/29 and is reproduced below for information. Also Table 2 of the CS sets out the additional recovery capacity for MSW and C & I Wastes. Again it is reproduced below for information.

<b>Table 3 Cumulative Non-Hazardous Landfill capacity requirements</b>		
<b>Year</b>	<b>Annual tonnage</b>	<b>Cumulative tonnage<sup>(1)</sup> (Landfill Capacity Required)</b>

2013/14	486,800	486,800
2018/19	354,645	2,435,900
2023/24	331,784	4,141,300
2028/29	311,660	5,739,300

**Table 2 Additional recovery capacity for MSW and C&I wastes required at key years**

Year	Additional Recovery Capacity Required (tonnes) <sup>(1)</sup>
2013/14	72,000
2018/19	169,000
2023/24	192,000
2028/29	219,000

WRG also note that the CS states,

“There will continue to be a need for sites for the landfilling of non-hazardous wastes, even as recovery rates increase throughout the life of the Plan. Some wastes arising from all sectors will continue to be managed by landfilling, including the residues from recovery processes which can not be managed in any other way than by disposal. Of significance is that the remaining life of the single non-hazardous waste landfill site within the Plan area, at Stewartby, is such that there will be no non-hazardous waste landfill capacity by the end of 2011. Potential sites for the landfilling of non-hazardous

wastes are former mineral working voids within the Plan area, which must be of a geology which can contain non-hazardous wastes to satisfactory pollution control standards. Such sites are extremely limited within the Plan area, since many former clay workings have already been landfilled or else restored in other ways. Both of the sites proposed as non-hazardous waste landfill sites are a result of brick clay working. These sites are Rookery Pit South, and Elstow Pit South. In order to ensure the flexibility that the Plan needs by ensuring adequate provision of non-hazardous waste landfill space, both sites are identified in Policy WCP2. There are currently no applications to develop either of these two sites identified in Policy WCP2 as Non-Hazardous waste landfill sites. Consequently until such time that one of these sites are developed, residual waste requiring disposal to landfill will continue to be transported out of the Plan area (see Waste Evidence Base 4.)”

Waste Technical Evidence Paper 5: Strategic Waste Management Sites (TEP 5) states that “The Core Strategy identifies Strategic sites, which are essential to the successful implementation of the Plan. Strategic sites are defined as:

“Materials and/or energy recovery facilities (with a throughput of at least 75,000 tonnes per annum or more), for Hazardous and Non-Hazardous wastes only;  
Facilities for managing and disposing of specialist waste streams;  
Landfill sites for the final disposal of Non-Hazardous wastes.”

It is our contention that the Elstow South site clearly meets the definition for a strategic waste recovery facility. WRG have indicative proposals worked up for a waste treatment and processing facility with a capability for a throughput of c200,000 tonnes of waste arisings each year. There are significant environmental benefits associated with the development of this site that are mentioned later in this representation.

TEP5 also states that the Waste element of the Minerals and Waste Core Strategy has the following Objectives:

- “1. To promote a reduction in waste arisings;
2. To manage as much as possible of wastes arising from within the Plan area, and the agreed apportionment of London wastes;
3. To move away from the dependence upon landfilling;
4. To provide greater capacity for the recovery of materials and energy;

5. To protect and enhance the biodiversity and landscape fabric of the plan area;
6. To protect and enhance the safety of road users in the Plan area;
7. To protect and enhance the cultural, social and environmental heritage of the plan area;
8. To provide a network of facilities which are close to waste arisings and suitable road networks and support the Carbon agenda, appropriate to the kind of waste to be managed.”

**Our position is that our proposals will contribute significantly to all these objectives. WRG also contend that the proposals would safeguard and retain 2 million cubic metres of void for non hazardous landfill. This would still fulfil the County Requirement for void at this site whilst reflecting the reality that residual waste will be diverted from landfill.**

### Explanatory note

The figures quoted in the Core Strategy for additional recovery and disposal to landfill capacity are derived from Waste Technical Evidence Paper 2. These are derived from the best available data:

1. The source of figures for non-hazardous landfill is Low Scenario A (table 36, Waste TEP2) and table 9 (also Waste TEP2) for waste to be imported from London. Neither choice is explained nor justified in the CS or the supporting TEP.
2. Inconsistency in landfill tonnages quoted - table 3 of the CS suggests a landfill requirement of 311,660 tonnes in 2028/29, whereas paragraph 4.13 suggesting a requirement for 332,000 tonnes at 2028/29.

### Summary of representations and recommended responses:

1. As discussed in waste TEP2, all recovery processes give rise to residues which require further treatment or disposal. Whilst the amount generated can range from as little as 2% to as much as 30% depending on the technology employed (see Waste TEP4: A summary of outputs from key waste recovery technologies) this Core Strategy assumes that any process residue which is generated will be subject to additional recovery processes which will reduce its volume further. On this basis the proportion of residues which will have to be landfilled will be small, and is assumed to be equivalent to 5% of that undergoing recovery.
2. The figures presented in Table 3 are set out and justified in chapter 10 of Waste Technical Evidence Paper 2: Assessment of Need for

Additional Waste Management Capacity.

3. The figure quoted in 4.13 is incorrect, and should be the same as that in table 3 (i.e. 311,600 tonnes).
4. Waste TEP2 set out the alternative forecasts for future non-hazardous landfill. However, it does not justify the choice of either. Projections for the amount of waste to be imported for landfill from London are derived from the apportionment set out in the Submission Revised RSS. These figures are set out in tables 8 and 9 of Waste Technical Evidence Paper 2: Assessment of Need for Additional Waste Management Capacity. The choice of Submission RSS figures is not justified in either Waste TEP2 or the Core Strategy.

#### **Recommended change**

1. **Amend paragraph 4.11, to refer to the source of these figures.**
2. **Add a footnote beneath Core Strategy table 3 cross-referencing the relevant sections of waste TEP2.**
3. **Amend Waste TEP2 to explain the rationale behind and justification for the choice of low growth scenarios, and add footnotes to CS cross-referencing the relevant sections of the TEPs.**
4. **Amend paragraph 4.13 with the correct landfill figure (i.e. 311,600 tonnes).**

## Policy WCP1: The Provision of Recovery and Disposal Capacity

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Neville Benn  Environment Agency	S	<p><b>WCP1</b></p> <p>We support moving waste up the Waste Management Hierarchy. Landfill disposal is the least acceptable means of dealing with waste in accordance with revised Waste Framework Directive 2008/98/EC. Landfill has reduced significantly due to Local Authority Policy and rising costs including landfill Tax. Within the Core Strategy a range of alternatives to are being progressed. Reducing landfill will reduce the production of methane, a climate change gas which is 21 times more damaging than carbon dioxide. The Core Strategy will help to reduce production of climate change gases. Reducing landfill will reduce the risk to groundwater Aquifers and surface water from polluting leachate.</p> <p>The waste Core Strategy will send hazardous waste, clinical waste and low level radio active waste to specialist facilities elsewhere. The Core Strategy provides a range of recovery options and recycling options. With reserve potential non-Aquifer landfill capacity in Rookery South and Elstow South if these are required.</p>	CW
Kirsten Berry  ERM on Behalf of Covanta Energy	U – E, J and NP	<p><b>It is submitted that the draft Core Strategy is unsound</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It is not consistent with the requirements of Waste Strategy for England 2007 or the Revised WFD.</li> <li><input type="checkbox"/> It is not effective, in that it is not deliverable or coherent.</li> <li><input type="checkbox"/> It is not justified – there is no clear evidence base to justify the targets presented or the lack of distinction between recycling and other recovery.</li> </ul> <p>Soundness may be achieved by:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the amendments proposed in response to policy WCP1.</li> </ul> <p><b>Waste Core Policy WCP1</b> states an intention to provide sufficient capacity for the recovery of waste from the Plan area to enable the following targets for diversion from landfill and recovery to be</p>	AE

achieved:

- Recovery of at least 50% of Municipal Solid wastes by 2013 and 70% by 2015.
- Recovery of at least 72% of C&I wastes by 2013 and 75% by 2015.'

It is noted that the targets of WCP1 reflect those contained in the East of England Plan (Policy WM2). However, the target years presented do not sit comfortably within the draft Core Strategy lifetime; both falling very early in the lifetime of the document. Indeed, it is unlikely that these targets can even be achieved as it will take time for new capacity to be constructed and become operational. Further, these targets fail to report the expectation of Waste Strategy for England 2007, to achieve 75% recovery of municipal wastes by 2020.

The explanatory text at **paragraph 4.17** states that WCP1 sets '*minimum levels of recovery*' and '*it is hoped that these targets will be exceeded in practice*'. This is neither a proactive nor aspirational statement. It reflects poorly on a role of the Core Strategy, to drive recycling and recovery targets for the Plan area.

The policy makes no distinction between recycling and other recovery.

**It is submitted that Policy WCP1 and the supplementary text at paragraph 4.17 is unsound.**

- It is not consistent with the requirements of Waste Strategy for England 2007 or the Revised WFD.
- It is not effective, in that it is not deliverable or coherent.
- It is not justified – there is no clear evidence base to justify the targets presented or the lack of distinction between recycling and other recovery.

Soundness may be achieved by:

- presenting both recycling and other recovery targets
- ensuring that these targets accurately reflect the requirements of the Waste Strategy for England 2007.

**Mrs Nicky Upton**

Yes,  
AE

Bedfordshire is also obliged to accept 'pre-treated' waste from London, but again I would cynically say that the pre-treatment is unlikely to be monitored assiduously. The quantities are not huge and the strategy aims to reduce them over the study period, but according to Waste TEP4 - 1.3, none of these pre-treatment facilities in London have yet been built. Again the opportunity to insist that it arrives

Harlington

Parish Council                    by rails seems to have been missed, especially as a viable waste rail service operated between Hendon and Stewartby rail terminal for the past 25 years.

**Explanatory note**

The Core Strategy proposes targets for the recovery of both municipal and commercial/industrial wastes.

**Summary response**

1. It is acknowledged that the recovery targets only run for a limited period of the Plan. However there are no national targets or other justification to support the proposal of other targets within the Core Strategy. However there is one further target for the recovery of municipal waste contained in the National Waste Strategy for England 2007 (i.e. 75% recovery by 2020).

**Recommended change**

**1. Amend Waste Core Policy WCP1 by adding to the first bullet point such that it reads: ‘....recovery of at least 50% of municipal solid wastes by 2013, 70% by 2015, and 75% by 2020’.**



**Waste Core Policy WCP2: Strategic Waste Management Sites and paragraph 4.18**

Name Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
<b>H Trustam</b>		<b>Minerals &amp; Waste Core Strategy</b>	
Marston Moreteyne Parish Council		<p>The Parish Council have been asked to comment on the “soundness” of the Minerals and Waste Core Strategy.</p> <p>The Council were in agreement that despite the approval of Covanta’s application at Rookery Pit by the IPC, there is still a strong need to reinforce that local authorities should be responsible for their own waste and should not be expected to accept or allow the importation of waste from surrounding authorities.</p> <p>Local authorities should be encouraging and promoting recycling, thus reducing the amount of residual waste.</p> <p>Where needed; landfill should be sited in industrial settings and not within the locality of villages. Infrastructure within a village setting is less able to cope with the large volume of vehicle movements than that of an industrialised area.</p>	
<b>Rio D’Souza</b>  Highways Agency	S	<p>The Highways Agency’s acceptance of the preferred strategic sites is dependent upon appropriate transport assessment being provided to accompany any future planning application which details, if demonstrated as being necessary, appropriate highway mitigation. The Highways Agency’s assessment requirements are detailed in DfT Circular 02/2007 Planning and the Strategic Road Network, and the Highways Agency and the Planning Process- A Protocol for Dealing with Planning Applications.</p>	
		<p><b>Elstow North/Elstow South</b> Waste Technical Evidence Paper 3 indicates that additional highway works may be required to manage</p>	

additional traffic flows. The Highways Agency concurs with this, and considers that any planning application for extension of the site should be accompanied by a transport assessment which considers within its scope the traffic effects at the A6/A421 junction, taking into consideration the requirements of DfT Circular 02/2007 and the Highways Agency's Protocol for Dealing with Planning Applications.

#### **Land at Thorn Turn**

The envisaged point of access to the proposed site onto the road network is not made clear in the MCWS however I accept that this is a more detailed technical matter that is unlikely to be resolved at this stage. Access to an existing sewage treatment plant adjacent to the proposed waste site is made via Thorn Lane, and it may be possible for the existing access to be shared with the proposed facility, as opposed to providing a new access on to the highway network. The Highways Agency would not wish to see intensification of use of the junction with the A5 near Bank End Cottage/Chalk Hill Farm.

As part of the proposed A5-M1 link, Thorn Lane will be realigned to connect with the new roundabout on the A5 which also connects with the A5-M1 link. The SA (table 9.1 p74) indicates the need for monitoring of the short, medium and long term effects of the site on the A5 through Dunstable and the effectiveness of any mitigation measures suggested. The Highways Agency welcomes this requirement and it should be ensured that this is written into any planning conditions accompanying a future planning application of the Thorn Turn site.

#### **Land adjacent to Brogborough Landfill**

The SA (table 3.3 p.15) assumes that site WSD13 enjoys dedicated access onto the A421, however this is no longer the case since the new A421 was implemented.

The evidence supporting the selection of this site, including the evaluation against transport-related sustainability criteria, may be inaccurately based on the assumption that direct access to the new A421 mainline is either currently available or that it could be permitted in the future, which is contrary to guidance provided in DfT Circular 02.2007. Confirmation is required that the use of the former A421 to access the Brogborough site, with access to the A421 achieved at either M1 Junction 13 or the Marston Moretaine grade separated interchange, and the assumption that no new dedicated vehicle access to the new A421 will be permitted at this location specially for the proposed site, is acceptable and that the viability of the site is not jeopardised on the basis of these assumptions.

**Rookery South Pit**

The existing access to Rookery Pit north and south appears to be located on the eastern side of the Marston Vale railway line and Stewartby Station. The Highway Agency understand that the railway level crossing has a restriction on large and slow vehicles with a maximum total weight restriction of 44 tonnes (gross), a maximum length restriction of 18.75m and a maximum width restriction of 2.9m enforced. Drivers of such vehicles are advised to phone to get permission to cross the railway.

Journeys between the proposed site and the A421 would necessitate the crossing of the railway at this location. Clarification is required that this existing restriction has been considered as part of the site selection process and whether or not it could pose a risk to the viability of the site.

**Tom Gilbert-  
Wooldridge**

U - J

Notwithstanding the analysis set out in Waste Technical Evidence Paper 2 and the issues surrounding the Covanta Energy proposal at Rookery Pit South (as set out in Paragraphs 6.6 and 6.7 of the Core Strategy), there is a risk of an over-provision of waste recovery sites within the Core Strategy with potential negative impacts on the environment. While there is a need to have some contingency in the plan in terms of the provision of sufficient sites, the allocation of any site needs to be robustly justified and shown to have minimal harm on its surroundings.

CW

English  
Heritage

We have concerns with a number of the sites listed in Policy WCP2 and feel that greater clarification should be provided by the Core Strategy in terms of the historic environment issues and how they should be addressed. This could be added to the development requirements section in the explanatory tables in Chapter 8. In terms of site specific comments, please see our representations for Chapter 8. Without this clarification, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

**Peter Scott**

S

Although we agree, the priority should be that Elstow South should be developed as the next landfill site in order that the existing environmental problems of Elstow North can be effectively managed.

CW

CPRE

In the long term, the above will also allow effective management of the whole site minimising water ingress and allowing management of leachate and landfill gas.

No other landfill site should be developed until the capacity of Elstow South has been taken up.

**Janet Nuttall**

S

Natural England would like to reiterate comments made at the Preferred Options stage regarding the strategic sites for waste management opportunities at the former Brogborough Landfill, Rookery Pit South, Elstow North and South and Thorn Turn, all of which are located in close proximity to

CW

Natural

England	<p>environmental designations.</p> <p>Although the potential effects of development on such designations have been considered through the planning application process, the potential negative impacts upon biodiversity interests are of concern to Natural England. The Strategy should recognise the biodiversity value of the strategic sites and ensure that any negative impacts on the landscape or biodiversity are sufficiently mitigated and compensated for, and that decision making would be consistent with PPS9 which states that <i>“in taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of...local importance”</i>.</p>	CW
<p><b>Neville Benn</b>      S</p> <p>Environment Agency</p>	<p><b>WCP2</b></p> <p>Elstow South and Rookery South are identified as potential landfill sites though there is no current application for either of the sites. The Bedford Waste and Minerals plan Page 68 is premature to describe Elstow North as restored as there are considerable works outstanding. The stability of the southern flank against the lake, the capping, the gas abstraction and leachate abstraction schemes have not yet been implemented. Any development would need to take account of the requirement of the NIRAH scheme and the need to pump out the lake and stabilise the existing landfill. Development of the Elstow south Landfill would also need to comply with standard Agency Guidance. The site is located on Oxford Clay</p> <p>The Rookery South is an Oxford Clay Pit that could if required provide suitable engineered landfill containment for non-hazardous waste.</p> <p>Non landfill waste recovery and recycling options at Elstow North would need to consider the outstanding works required on the existing landfill and The NIRAH development.</p> <p>The Brogborough and Rookery sites could relatively easily accommodate alternatives to landfill but would need standard impermeable pavement and sealed drainage.</p> <p>The Thorn Turn area is located on the Lower Chalk Principal Aquifer and will need standard impermeable pavement and sealed drainage.</p> <p>There is likely to be a period of time when wastes are exported from the Core Strategy area before the alternatives to landfill are implemented and before landfill capacity could be applied for and approved by the Planning authority and the Environment Agency.</p>	CW

**Kirsten Berry**

ERM on Behalf  
of Covanta  
Energy

**Waste Core Policy WCP2** identifies four sites for waste recovery uses. They are

- Elstow North;
- Land at former Brogborough Landfill;
- Land at Rookery Pit South; and
- Land at Thorn Turn

AE

**Paragraph 4.18** states that the strategic sites presented above are *‘the most appropriate given the land use circumstances of the Plan area’*.

The method used to identify strategic sites is presented in Technical Evidence Paper 5 – Strategic Waste Management Sites (TEP 5). Two sets of criteria were used:

- planning criteria consisting of the waste policies saved from the Bedfordshire and Luton Minerals and Waste Local Plan adopted in 2005, and
- sustainability criteria developed on the Sustainability Appraisal criteria used previously by Environ in carrying out its appraisal of different DPD.

It is noted from a review of TEP 5 that the planning criteria include the following question: ‘Would the proposed use of the site involve the importation of wastes from outside the Plan area?’

There is no justification provided in national waste documents or the evidence base to prevent the import of waste into the Plan area. Further, unless the applicant is engaged in pre-application discussions, the plan making team would have no knowledge of whether the proposed use of a site would involve the importation of waste or not. This is not a question that explores the spatial benefits or disadvantages of any site and so it should be irrelevant to the site selection process.

Notwithstanding the comment above, Rookery Pit South is agreed to be a suitable site for the development of a strategically important recovery facility. Site assessment work undertaken by Covanta to accompany its DCO application confirms the suitability of Rookery South Pit.

**Graham  
Jenkins**

S

We support the inclusion of Rookery South as one of the four identified strategic sites for waste management, and as one of two sites for the landfilling of non hazardous waste. We also note the

AE

O & H Properties	acknowledgement in paragraph 4.14 that Rookery South has potential to accommodate both non hazardous waste landfill and one or more recovery operations in different area of the site (noting the IPC decision relating to the Covanta Development which will occupy part of the site).		
	However, whilst the four strategic sites may have individual merits, it is contended that the Rookery South site should be afforded a higher status as an ‘integrated waste management park’ which reflects the unique ability of Rookery South to accommodate a range of waste management/recovery uses <u>and</u> landfilling of treated waste and waste residue.		
	We consider that the Plan could be made more effective by affording greater attention to the potential of the Rookery South site.		
<b>Nicky Upton</b>  Harlington Parish Council	7) The creation of a waste processing plant at Thorn Turn, is likely to affect Harlington and Streatley in terms of traffic. Even if the link at that point between the A5 and M1 is created, that still leaves the traffic that comes from the east of the County without a major cross country route. This aspect has not been examined in detail, but the maps provided make this very apparent.	CW	
<b>Nicky Upton</b>  Harlington Parish Council	It was considered that the Thorn Turn was unlikely as the BEaR project was no longer an option; with regard treated waste, members were not sure how much of the waste was treated and, in addition, rail was not being used to transport it meaning further congestion would be added to the roads;	CW	
<b>Ian Gorton</b>  WRG	U – J, E and NP	<p data-bbox="537 973 1344 1013"><b><u>RE: Proposed Strategic Waste Allocation at Elstow South</u></b></p> <p data-bbox="537 1037 1870 1109">Please find below Waste Recycling Group’s representation relating to site allocation Elstow South. My contact details are above.</p> <p data-bbox="537 1133 1870 1228">This representation is for the final stage in the preparation of the Core Strategy and to make comment whether we believe the Core Strategy is sound based on the three tests of soundness, namely that it is:</p> <ul data-bbox="560 1252 817 1319" style="list-style-type: none"> <li>• Justified,</li> <li>• Effective, and,</li> </ul>	AE

- Consistent with National Policy

### **Background to Representation**

In November 2011, Waste Recycling Group Ltd made representations on the Bedford Site Allocations and Designations DPD. That representation is in italics below.

We stated that we believe that The Allocations and Designations Plan (the plan) should also be flexible and able to be monitored.

We stated that the plan should be flexible to deal with changing circumstances. This includes site 3.37 Wixams.

*This site includes the unfilled clay pits at Elstow South that have changed hands over the years from London Brick, to Hanson, to WRG. The northern boundary is formed by the edge of the Council's landfill site - (now allocated for a park and ride site), whilst it is bounded to the east by the old A6 and to the south by the access road leading to the aggregate depot on the western boundary. The excavations are flooded, but there is an area of consented but un-worked land between the pits and the access road on the southern boundary. To the south of the access road there is further un-worked land, covered by the same planning consent, but in the ownership of Gallaghers who are developing the Wixams new settlement to the south of the site.*

*The site was originally worked pursuant to planning permission 1913/9/1, dated 26th May 1949. This was tentatively superseded by a consolidating consent covering all of the clay pits in the northern half of the Marston Vale in 1980 (planning permission 4/1980). This consent included Elstow South, but excluded the landfill on Elstow North which was operating to its own consent, outside of the control of London Brick. However, whilst the 1980 consent was accompanied by a legal agreement providing for the revocation of the old consents, that was never done.*

*Condition (b)(8) of the 1980 consent required restoration schemes to be submitted for all the sites in two stages:*

1. *Temporary or immediate restoration,*
2. *Ultimate restoration.*

*There was a temporary scheme agreed for Elstow South which involved some tidying up and planting to improve the appearance of the existing lakes. A master-scheme for all of the pits covered by the consent was submitted in the 1980s. This proposed filling Elstow South to join on to the existing landfill site at Elstow North. However, the scheme was never determined by the Council.*

*In terms of ultimate restoration, the condition requires the scheme for ultimate restoration to make provision for either the backfilling of the excavations, the permanent flooding of the pit or restoration at a reduced level.*

*In November 1999 Hanson submitted a planning application for an integrated waste management facility on the site, which included proposals for both landfilling and waste processing facilities. In the light of decisions on the Bedfordshire Minerals and Waste Local Plan, that application was withdrawn in 2004.*

*An application for the determination of modern conditions was submitted under the ROMP procedures on 31st January 2000. This comprised:*

- *The Application,*
- *An Environmental Statement, and*
- *Technical Appendices.*

*Determination of the ROMP application was deferred initially to await the outcome of the 1999 application, but also as a result of unresolved technical objections from the EA. This still remains undetermined.*

*In 2006 Scott Wilson were appointed by WRG to review the planning situation at Elstow South with a view to moving the application forward. Their report, dated 12th April, provided a more detailed analysis of the planning history and identified the options for moving matters forward. Following the receipt of legal advice and discussions with the County Council, it has been accepted that both the 1949 and 1981 consents remain valid.*

*The next step would have been to pursue the technical issues with the EA. However, in accordance*



*with new regulations introduced in July 2008, the Planning Authority requested a new or updated EIA for the undetermined ROMP application. The first stage allowed 3 weeks for operators to submit a formal request for a screening opinion failing which the site would go into automatic suspension.*

*This was submitted by WRG, but the Council subsequently advised that the whole site had gone into automatic suspension because Gallaghers had not submitted a request for their part of the site. The alternative outcome would have been to have received a request for an EIA to be submitted within 4 months, failing which the site would have again gone into automatic suspension.*

*Detailed discussions ensued but the outcome was a notice from the Council advising that a fresh EIA would have to be submitted before September 2010, failing which the site will become subject to a prohibition order preventing any further mineral extraction on the site. That date has now passed, an EIA has not been submitted, but the Council has not yet made a prohibition order.*

*Even if an order is made, it is unclear how that would actually relate to landfilling, since a prohibition order does not preclude WRG from implementing, or the local authority enforcing, the restoration conditions for the site. The issue is further complicated by the fact that landfilling is only one of three options for restoration in this case.*

*I consider that to make the plan sound the following should take place:*

*Elstow South has a planning permission that allows for backfilling with waste and is allocated in the draft Waste Core Strategy as a potential future landfill site. To enable the DPD to be deliverable the Council require WRG to work with the Council to realise the Park and Ride Scheme to the north and also to enable an unnatural landform to be restored to appropriate land levels and to provide a sustainable after-use for the site.*

*WRG request that the designation for green infrastructure be amended to reflect the extant planning permission and to also facilitate the release of land for the Park and Ride Scheme (see attached plan).*

*Filling of Elstow South provides the only long-term solution for the stabilisation of Elstow North, the boundary of which (in WRG's view) has been inadequately engineered and is a potential environmental*

*liability for the Council, unless additional engineering work is undertaken to give long-term containment and stability. The Green Infrastructure allocation at Elstow South is contrary to Policy W22 of the adopted Minerals and Waste Local Plan, which safeguards waste management sites from proposals that would prejudice their development. However, WRG may well consider an area of land as indicated on the attached plan for retention as a green infrastructure area, provided that these other issues can be resolved.(see suggested change on attached plan)*

*WRG may be amenable to extending the employment allocation onto the area of land not previously the subject to mineral extraction at Elstow South (see suggested change on attached plan). This land use could form a logical extension for employment use if the site is not ultimately required for waste management. short but length of highway that has no properties on it and is now a service-only route into the Wixam development. The highway was designed to provide continued HGV access to Elstow South and to the Lafarge asphalt plant and aggregates depot.*

*Please note that I would request to attend the Examination in Public.*

*The site has a very complex planning history and a detailed examination and explanation is required of the issues involved.*

### **Our Representation on the Bedfordshire Minerals and Waste Core Strategy Plan for Submission (CS)**

Discussions have been held with the Joint Authorities and recently representatives of WRG met with representatives of the Joint Authorities and Bedford Council. This representation and its associated proposals as shown on the attached plan supercedes the representation made on the Bedford Site Allocations and Designations DPD in November 2011.

The basis of these discussions were to present our proposals for Elstow South and to allay Joint Authority's concerns regarding the status of Elstow Pit South as a strategic allocation for non hazardous landfill. Attached are copies of our indicative proposals that we presented at the recent meeting. It sets out the basis for this representation.

Table 3 of the CS sets out the cumulative non-hazardous landfill capacity requirements up until 2028/29 and is reproduced below for information. Also Table 2 of the CS sets out the additional recovery capacity for MSW and C & I Wastes. Again it is reproduced below for information.

<b>Table 3 Cumulative Non-Hazardous Landfill capacity requirements</b>		
<b>Year</b>	<b>Annual tonnage</b>	<b>Cumulative tonnage<sup>(1)</sup> (Landfill Capacity Required)</b>
2013/14	486,800	486,800
2018/19	354,645	2,435,900
2023/24	331,784	4,141,300
2028/29	311,660	5,739,300

<b>Table 2 Additional recovery capacity for MSW and C&amp;I wastes required at key years</b>	
<b>Year</b>	<b>Additional Recovery Capacity Required (tonnes)<sup>(1)</sup></b>
2013/14	72,000
2018/19	169,000
2023/24	192,000
2028/29	219,000

WRG also note that the CS states,  
“There will continue to be a need for sites for the landfilling of non-hazardous wastes, even as recovery rates increase throughout the life of the Plan. Some wastes arising from all sectors will continue to be managed by landfilling, including the residues from recovery processes which can not be managed in any other way than by disposal. Of significance is that the remaining life of the single non-hazardous waste landfill site within the Plan area, at Stewartby, is such that there will be no non-hazardous waste landfill capacity by the end of 2011. Potential sites for the landfilling of non-hazardous wastes are former mineral working voids within the Plan area, which must be of a geology which can contain non-hazardous wastes to satisfactory pollution control standards. Such sites are extremely limited within the Plan area, since many former clay workings have already been landfilled or else restored in other ways. Both of the sites proposed as non-hazardous waste landfill sites are a result of brick clay working. These sites are Rookery Pit South, and Elstow Pit South. In order to ensure the flexibility that the Plan needs by ensuring adequate provision of non-hazardous waste landfill space, both sites are identified in Policy WCP2. There are currently no applications to develop either of these two sites identified in Policy WCP2 as Non-Hazardous waste landfill sites. Consequently until such time that one of these sites are developed, residual waste requiring disposal to landfill will continue to be transported out of the Plan area (see Waste Evidence Base 4.)”

Waste Technical Evidence Paper 5: Strategic Waste Management Sites (TEP 5) states that “The Core Strategy identifies Strategic sites, which are essential to the successful implementation of the Plan. Strategic sites are defined as:

“Materials and/or energy recovery facilities (with a throughput of at least 75,000 tonnes per annum or more), for Hazardous and Non-Hazardous wastes only;  
Facilities for managing and disposing of specialist waste streams;  
Landfill sites for the final disposal of Non-Hazardous wastes.”

It is our contention that the Elstow South site clearly meets the definition for a strategic waste recovery facility. WRG have indicative proposals worked up for a waste treatment and processing facility with a capability for a throughput of c200,000 tonnes of waste arisings each year. There are significant environmental benefits associated with the development of this site that are mentioned later in this representation.

Ian Gorton U - D **However, regarding WCP2 it is our position that the policy as it is currently worded does not offer either the flexibility or deliverability** to enable Elstow South to come forward as a Strategic Waste Recovery Site. It is the Company's view that Elstow South should be identified within policy WCP2 as a strategic site for waste recovery as well as for non-hazardous landfill. There are a number of factors to support this: AE  
WRG

- 1) The site is close to waste arisings and main population centres;
- 2) The site is a historical minerals site (a brownfield site) and has good links to the strategic road network;
- 3) It will facilitate the remediation of the interface between the closed Elstow North Landfill and Elstow South. Discussions have been ongoing between the Joint Authorities and WRG regarding this matter;
- 4) The allocation would allow for the flexibility required in policy WCP2 to enable the Plan to be sound;
- 5) The proposal (as shown on the attached plan) clearly demonstrates that an integrated waste recovery facility including a c200,000 tpa waste processing and recovery plant, a 30,000 tpa AD plant, a HWRC and also landfill void for c2 million cubic metres of non-hazardous landfill can easily be accommodated on the site;
- 6) Additional economic and environmental benefits will be realised, including restoration to allow part of the site to become green infrastructure and employment allocations (as defined in the Bedford Site Allocations and Designations DPD) and also a proposed portion of the site to be subject to a landscaping scheme for a buffer between the Plans' various uses;
- 7) The proposals would move waste streams up the waste hierarchy contributing to sustainable development objectives as set out in emerging national guidance.

With regard to the CS strategic site selection process, WRG contend that the Elstow South site meets all the criteria used to identify the four chosen sites and that there are no legal impediments for delivery

of this site.

We support the identification of Elstow South for a strategic non hazardous allocation.

The reality is that by identifying just four strategic waste recovery sites in Waste Core Policy 2 (WCP2) is not reflecting the most appropriate land use circumstances of the Plan area and does not provide for all the locations where large scale recovery operations could take place in our view.

We would also support policy WCP8 as well if the above changes were made. However, in its current wording, we cannot support this policy as drafted. The policy states that "Proposals for waste transfer and material recovery operations will be directed towards:

- A strategic recovery site set out in WCP 2; or
- An existing employment area of similar uses; or
- Within the area of and for the duration of an existing planning permission for a waste related use; or
- Within the area of and for the duration of an existing planning permission for minerals extraction; or
- Within the area of despoiled, contaminated or derelict land.

Proposals for waste transfer/materials recovery operations in location other than those listed above will only be permitted if it can be demonstrated that:

- They serve an identified local need which can not be met by existing facilities, and;
- No land in the above categories is available, or that use of such land would be contrary to the proximity principle with regard to the anticipate source of waste"

We consider that this policy in its current form is too restrictive and does not allow for a strategic waste recovery and processing facility to come forward at Elstow South. We consider that the plan can be made sound by allowing Elstow South to be identified as a strategic recovery site. This would offer the flexibility that the CS requires.

Ian Gorton

U - D

For the reasons stated in the representation on Policy WCP2 on behalf of WRG I consider that the proposed uses highlighted for Elstow South on Table 22 should identify the Elstow South site as a

AE

Strategic Waste Recovery Facility as well as non hazardous waste landfill use. I consider this would then make the Plan sound by allowing for the flexibility of Elstow South to come forward as a Strategic Waste Recovery facility in line with our comments on Policy WCP2.

Lizzie  
Barrniccoat

U

**RE: WASTE CORE STRATEGY CONSULTATION DOCUMENT**

AE

Elstow Parish  
Council

Elstow Parish Council consider this document to be unsound given the great deal of history on this matter in relation to the Elstow sites and information previously detailed during public consultations on the sites. The Parish Council would like to make representation and highlight the following:

Elstow Parish Council strongly disagree with the identification of Elstow Pit South as a Reserve site for land filling non-hazardous waste on the following grounds:

- The site would require vast amounts of capping and preparation before the site could be used, during the Public Enquiry in 2003 into the Minerals and Waste Local Plan the Inspector quoted £10 million for such work. Within the current financial climate and with government funding not available it makes this sites inclusion as a Reserve site unrealistic. Also the capacity of the site as detailed within the consultation document is not sufficient to meet the demands of the Low Growth Scenario in the short or long term, therefore it adds to the fact that this site must be totally removed and an alterative included.
- The two sites identified are both within the Borough of Bedford, it seems illogical and unfair that the Borough provide both an identified and a reserve site when none have been considered or included from Central Bedfordshire or Luton.
- There is no traffic management plan in place to deal with the increased vehicular movements, the types of vehicles accessing the site would be heavy goods vehicles, at present the Borough of Bedford does not have an up to date Local Transport Plan or an up to date Freight Strategy. The infrastructure is not sufficient either to deal with vehicles accessing the site from the site along the A6 as this is predominately a single carriage road.
- The site is in very close proximity to a carp fishing lake; this would be affected by the proposal, and is one of the top 5 in the country.
- Within the consultation document Statement 6 references 'protect the cultural, social and environmental heritage of the Plan area', Elstow South is a designated County Wildlife site as listed in the Bedford Borough Allocations and Designations Plan (map 2) document so this site

- contradicts the statement totally and is strong reason to remove the site.
- Within the consultation document there is reference to proximity of the site not being close to new developments, the Elstow South site will be within 100 yards of the proposed Wixams extension as detailed in the Bedford Borough Allocations and Designations Plan (AD4) document.
- The Elstow South site must also be removed for the reasons listed in the Inspector's report during the Public Inquiry in 2003 as all the points still stand and the conclusion was the site is not suitable.

Elstow Parish Council strongly oppose the use of this site and will challenge very strongly as previously they have to ensure this site is not used. The Parish Council suggest the consideration of other sites within Central Bedfordshire and Luton as a reserve site i.e. Brogborough.

Elstow Parish Council strongly disagree with the identification of Elstow North as a Preferred Strategic Recovery site on the following grounds:

- The site would require vast amounts of dewatering and preparation before the site could be used, as highlighted during the Public Enquiry in 2003.
- Two of the sites identified are both within the Borough of Bedford, it seems illogical and unfair that the Borough provide the sites, they must be evenly spread through Bedfordshire and none have been considered or included from Luton.
- There is no traffic management plan in place to deal with the increased vehicular movements, the types of vehicles accessing the site would be heavy goods vehicles, at present the Borough of Bedford does not have an up to date Local Transport Plan or an up to date Freight Strategy. The infrastructure is not sufficient either to deal with vehicles accessing the site from the site along the A6 as this is predominately a single carriage road.
- The site is in very close proximity to a carp fishing lake; this would be affected by the proposal, and is one of the top 5 in the country.
- Within the consultation document there is reference to proximity of the site not being close to new developments, this site will be, due to the proposed Wixams extension as detailed in the Bedford Borough Allocations and Designations Plan (AD4) document.
- The Elstow site must also be removed for the reasons listed in the Inspector's report during the Public Inquiry in 2003 as all the points still stand and the conclusion was the site is not suitable.



Elstow Parish Council strongly oppose the use of this site and will challenge very strongly as previously they have to ensure this site is not used.

**Andrew Barr**  
Bidwell West  
Consortium

U – E,  
J, NP

**Test for Soundness in relation to Policy WCP2: Strategic Waste Management Sites**

AE

Four sites have been identified for waste recovery uses. This representation deals with Land at Thorn Turn only and is made by those consortium members of Bidwell West, whose land adjoins Thorn Turn and are involved in promoting Site 2 of the North Houghton Regis SSSA.

The two main documents supporting the identified site are the Waste Technical Evidence Paper 3 (WTE3) and WSD02 Thorn Turn (part of Waste Evidence Base 5: Site Assessment Information concerning the suggested Strategic Waste Sites).

Paragraphs 7.1 to 7.4 of WTE3 relate to Thorn Turn describing it as 24 hectares of agricultural land to the north west of Houghton Regis. It is important to note that of the four sites identified this is the only green field site with the other three being a former landfill site (Elstow North), a former brickworks with minerals consent (Rookery Pit South) and an existing landfill site (Brogborough).

- The representation process requires us to consider the soundness of the document on the basis of it being justified, effective and consistent with national policy. To be justified the Plan must be based on robust and credible information. It must also be the most appropriate strategy when considered against the reasonable alternatives.
- To be effective the Plan must contain proposals that have reasonable prospects of being developed whilst being flexible enough to respond to changes in circumstances.
- The Plan should be consistent with national policy, or where there is a departure from it, the departure should be justified.

1. Justified

1.1 To be justified the Plan must be based on robust and credible information

1.2 We do not believe the assessment process carried out in relation to Thorn Turn to be robust and credible on the basis that the site is currently in Green Belt, is impacted by flooding and also conflicts with and potentially prejudices proposed development on neighbouring land in the form of the North

Houghton Regis SSSA (NHR SSSA).

1.3 The assessment also implies that the site is proposed for landfill, recovery ,or transfer but does not identify which aspects of waste processing is proposed which makes assessment in relation to specific impacts impossible .

1.4 Therefore it must be assumed in the absence of specific uses being set out in WDS02 that all the uses proposed could be to some degree provided on the site, some of which are clearly incompatible with the proposed development on neighbouring land.

1.5 The proposal also relies on the construction of the A5-M1 link road. This road scheme is already being heavily subsidised by the proposed adjacent Urban Extension development which together with a considerable amount of associated supporting infrastructure is already placing a heavy burden of cost on the Urban extension.

1.6 With this in mind we have therefore very strong concerns that a proposed waste scheme of unspecified, design, shape, size and process will impact on the affordability of planning gain contributions towards the overall infrastructure burden of the whole SSSA.

1.7 As such the Core Strategy clearly conflicts with PPS10 which states that Waste Planning Authorities should “identify the type of waste management facility that would be appropriately located on the allocated site or in the allocated area...”. Furthermore ANNEX E of the same Policy states “likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility”.

1.8 It appears that in the absence of being able to find any other substantive reasoning in the Draft Minerals & Waste Core Strategy 2011 and other supporting documents that the justification as to why the Thorn Turn site went from a Strategic Reserve site in the 2010 Waste and Minerals Core Strategy draft to an allocation appears to be the following: “The allocation of a site at the Northern end of the Houghton Regis Urban Extension is therefore highly appropriate in order to address the limited opportunities for siting waste uses in this part of the plan area”.

1.9 There does not appear in evidence to be any clear assessment of the impact of the proposed uses on the likely proposed development of the NHR SSSA nor for the choice of site, other than a lack of alternatives. On this basis and the points raised above the assessment is unsound.

## 2. Effective

2.1 The Strategy must be deliverable and coherent with the strategies of neighbouring authorities.

2.2 As stated above the site is currently located within the south Bedfordshire Green Belt as well as the proposed Urban Extension area. It is acknowledged by the supporting text to the Core Strategy that the Joint Core Strategy for Luton and south Central Bedfordshire was submitted to the Secretary of State and subsequently withdrawn. Since then Central Bedfordshire have adopted the submitted document as Interim policy for the purposes of development control to avoid a policy vacuum and therefore it is a material consideration in determining planning applications. In our opinion there is very little weight given to this interim policy in relation to the delivery and effectiveness of the Minerals and Waste Core Strategy waste site allocation process. In our submission the Waste Document ignores the clear conflict that exists between the two proposals.

2.3 This is echoed in paragraph 7.4 of the WTE where in an attempt to avoid this conflict greater emphasis is placed on Central Bedfordshire providing a new Core Strategy separate from the Interim Policy which will have timescales inconsistent with the perceived demand for large scale waste recovery sites. As such it appears that the Waste and Minerals Core Strategy can then bring forward the development of the waste sites prior to the new Core Strategy being adopted and as such the conflict would fall away. This process must be flawed as it is a clear example of choosing policy to fit rather than creating a sound and effective document.

2.4 A further example of the flawed process is the required movement of the boundary of the Green Belt. The Interim policy deals with its movement to allow the NHR SSSA. The Waste and Minerals Core Strategy expects the line to be moved together with the future adoption of the new Core Strategy. It does not explain therefore how the development of a waste recovery site could come forward before the green belt boundary is amended. Consequently any application for it therefore must be tested against the green belt policy where development is severely restricted.

2.5 It is apparent that the deliverability of this allocation, regardless of the flawed assessment relies on two key components namely the amendment of the green belt boundary or planning consent in conflict with green belt policy and the provision of the A5/M1 link road.

2.6 Due to the flaws in the assessment process described above, the clear lack of detail as to the potential proposed uses, the incompatibility with the proposed development on the neighbouring land and the need for physical changes to take place in relation to the A5/M1 and the green belt boundary it is clear that the deliverability of this site cannot be relied upon.

2.7 Therefore its identification for allocation for a broad band of waste uses some of which are incompatible with future development is clearly unsound and cannot be considered as effective policy.

### 3. Consistent with National Policy

3.1 The Plan should be consistent with national policy, or where there is a departure from it, the departure should be justified.

3.2 It appears that the assessment process in particular for the land at Thorn Turn and therefore potentially the approach of the whole document in relation to waste site allocations is flawed in relation to consistency with PPS10. This policy clearly sets out parameters for identifying land for waste management facilities. Extracts below show areas where the assessment process and therefore the allocation approach clearly conflicts with national policy

Waste planning authorities should identify in development plan documents sites and areas suitable for new or enhanced waste management facilities for the waste management needs of their areas. Waste planning authorities should in particular:

- allocate sites to support the pattern of waste management facilities set out in the RSS in accordance with the broad locations identified in the RSS; and,
- allocate sites and areas suitable for new or enhanced waste management facilities to support the apportionment set out in the RSS.

In doing so, waste planning authorities should:

- be able to demonstrate how capacity equivalent to at least ten years of the annual rates set out in the RSS could be provided;
- identify the type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area, taking care to avoid stifling innovation in line with the waste hierarchy;
- avoid unrealistic assumptions on the prospects, for the development of waste management facilities, or of particular sites or areas, having regard in particular to any ownership constraint which cannot be readily freed, other than through the use of compulsory purchase powers.

20. In searching for sites and areas suitable for new or enhanced waste management facilities, waste planning authorities should consider:

- opportunities for on-site management of waste where it arises;
- a broad range of locations including industrial sites, looking for opportunities to co-locate facilities together and with complementary activities.

In deciding which sites and areas to identify for waste management facilities, waste planning authorities should: (i) assess their suitability for development against each of the following criteria:

- the extent to which they support the policies in this PPS;
- the physical and environmental constraints on development, including existing and proposed neighbouring land uses (see Annex E);
- the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential;
- the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.

(ii) give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages.

.....  
Working in constructive partnership

Delay can arise through poorly conceived, designed and executed proposals. Planning applications for waste management facilities that cut across up-to-date development plans prepared in consultation

with local communities give rise to justifiable frustration. The Government therefore encourages industry to continue to work alongside local communities, in support of planning and pollution control authorities, and in ways consistent with sustainable development.

Applicants for planning permission to develop waste management facilities should expect expeditious and sympathetic handling of planning applications on sites and in locations identified in development plan documents, where their proposals reflect the planning strategy for waste management and policies set out in the development plan  
(emphasis added)

.....  
ANNEX E

Locational Criteria

In testing the suitability of sites and areas against the criteria set out in paragraph 20, waste planning authorities should consider the factors listed below. They should also bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). Advice on likely impacts and the particular issues that arise with specific types and scale of waste management facilities is given in accompanying practice guidance.

a. protection of water resources

Considerations will include the proximity of vulnerable surface and groundwater. For landfill or land-raising, geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding will also need particular care.

b. land instability

Locations, and/or the environs of locations, that are liable to be affected by land instability will not normally be suitable for waste management facilities.

c. visual intrusion

Considerations will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; (ii) the need to protect landscapes of national importance (National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts).

d. nature conservation

Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR Sites) or a site

with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves.  
e. historic environment and built heritage

Considerations will include any adverse effect on a site of international importance (World Heritage Sites) or a site or building with a nationally recognised designation (Scheduled Monuments, Conservation Areas, Listed Buildings, Registered Historic Battlefields and Registered Parks and Gardens).

f. traffic and access

Considerations will include the suitability of the road network and the extent to which access would require reliance on local roads.

g. air emissions, including dust

Considerations will include the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.

h. odours

Considerations will include the proximity of sensitive receptors and the extent to which adverse odours can be controlled through the use of appropriate and well-maintained and managed equipment.

i. vermin and birds

Considerations will include the proximity of sensitive receptors. Some waste management facilities, especially landfills which accept putrescible waste, can attract vermin and birds.

The numbers, and movements of some species of birds, may be influenced by the distribution of landfill sites.

Where birds congregate in large numbers, they may be a major nuisance to people living nearby. They can also provide a hazard to aircraft at locations close to aerodromes or low flying areas. As part of the aerodrome safeguarding procedure (ODPM Circular 1/200317) local planning authorities are required to consult aerodrome operators on proposed developments likely to attract birds. Consultation arrangements apply within safeguarded areas (which should be shown on the proposals map in the local development framework).

The primary aim is to guard against new or increased hazards caused by development. The most important types of development in this respect include facilities intended for the handling, compaction, treatment or disposal of household or commercial wastes.

j. noise and vibration

Considerations will include the proximity of sensitive receptors. The operation of large waste

management facilities in particular can produce noise both inside and outside buildings. Intermittent and sustained operating noise may be a problem if not kept to acceptable levels and particularly if night-time working is involved.

k. litter

Litter can be a concern at some waste management facilities.

l. potential land use conflict

Likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility. (emphasis added)

#### 4. CONCLUSION

4.1 The public consultation process requires the consultees to consider the soundness of the Minerals and Waste Core Strategy on the basis of it being justified, effective and consistent with national policy.

4.2 It is contended for the reasons outlined above that the document is flawed on all three grounds and is therefore unsound. It cannot be justified as it conflicts with current planning policies in relation to the Green Belt and the flood risk. There appears to have been no rigorous analysis undertaken of any reasonable alternative sites and little regard paid to the likely impact of the waste transfer site on the proposed development of neighbouring land.

4.3 The proposal is not effective as it appears not to have regard to the interim policy adopted by the Council which is a material consideration in determining planning applications.

4.4 It conflicts with current planning policies as set out in the interim policy and is predicated upon the amendment of the Green Belt boundary and the construction of the A5-M1 link road both of which are not yet agreed or in place it is suggested that the proposal does not represent a deliverable option.

4.5 The proposal is not consistent with national policy and fails to justify why a departure from national policy should be considered.

4.6 For the reasons outlined above the proposal is inconsistent with PPS 10. A number of areas are highlighted but particular attention is drawn to the provisions of Annex E (l) which requires that:



4.7 Likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility.

4.8 It is contended therefore that the document has not had regard to the proposals for the SSSA (identified in the Council's Interim Planning Policy) and the likely impact that such a facility would have on that development.

**Andrew Barr**

U

We are instructed by Mr David E Fensome who is resident at Thorn Farm, Thorn. Our client's property lies a short distance to the north east of the proposed waste transfer facility site at Thorn Turn.

AE

Bidwell West Consortium

Our client has asked us to make several points initially regarding the consultation process:

1. He is disappointed with the quality of the public consultation process. It has been poorly advertised. There has been little or no notification locally. Until recently our client has been unaware of the consultation process.

2. There is a lack of information within the Core Strategy Plan for Submission Document as to the nature of the activities proposed on this site. Is incineration envisaged at the site for example?

3. The waste transfer proposal at Thorn Farm constitutes a significant threat to our client's quality of life.

a) The site lies a short distance to the south west of his home and farming business and any odours generated by the waste transfer activities will be carried across his premises on the prevailing wind.

b) The proposal would generate significant levels of HGV traffic with the attendant noise impacts.

c) The proposal will impact adversely on the proposed urban extension (North Houghton Regis SSSA) which includes the Thorn Turn site.

On behalf of our client we set out below the reasons as to why the proposal for a waste transfer facility on this site fails the tests of soundness.

4. It would appear that the Council has selected Thorn Turn as one of the four sites for a waste transfer facility on the grounds of expedience as there is little evidence of rigorous analysis of alternative sites being undertaken.

5. Within the NHR SSSA the land at Thorn Turn has been designated for commercial/employment use. The waste transfer proposal has the potential to conflict with the SSSA proposal for use of immediately adjoining land.

6. To site the waste transfer facility at Thorn Turn, which will be the western gateway to the proposed urban extension, is incompatible with the Council's stated aims within its interim policy to deliver sustainable and high quality development in the selected urban extension areas as expressed in the

Joint Core Strategy Document for Luton and Central Bedfordshire South.

7. The proposal conflicts directly with national policy guidance contained in PPS10 (planning for sustainable waste management). Annex E of PPS10 covers location criteria for assessing the suitability of sites for such purposes. The criteria under Annex E covers a number of matters which are relevant to the Thorn Turn proposal which it is contended have not been fully considered;

- i) The suitability of locations subject to flooding will need particular care.
- ii) Visual intrusion. Considerations will include the setting of the proposed location.
- iii) Air emissions including dust – considerations will include the proximity of sensitive receptors.
- iv) Odours – consideration will include the proximity of sensitive receptors.
- v) Noise and vibration – considerations will include the proximity of sensitive receptors.
- vi) Litter – litter can be a concern at some waste management facilities.

L Potential land use conflict. PPS10 states that: "Likely proposed development in the vicinity of the location under consideration should be taken into account in considering site suitability and the envisaged waste management facility."

All these criteria have direct relevance to the Thorn Turn site proposal, in particular the physical factors which will impact on our client's property. Of greater concern perhaps is the last point relating to potential land use conflict. We do not think that the Council has taken into account the impact of the site on the likely proposed development of the SSSA, particularly in relation to the quality of the environment and the consequential impact on residential and commercial values. The proposal is therefore contrary to national policy and fails the test of soundness.

<b>Nick Baston</b>	U	Paragraph 4.18	PW
Energos <b>Alan Fleming</b>	S	The BEaR Project welcomes the allocation of Thorn Turn as a Strategic Waste Management Site. This is a fully justified inclusion due to the site being the only one identified that covers the southern plan area. The site is well located near the large and expanding conurbations of Leighton Buzzard, Houghton Regis and Dunstable making Thorn Turn a sustainable location in terms of proximity to major urban conurbations and would further support the growth that has been earmarked for the area. The identification of Thorn Turn as a Strategic Site addresses the spatial imbalance providing a site within the urban growth area of South Bedfordshire and Luton.	CW
The BEaR Project			

The delivery of significant housing and associated infrastructure around the Thorn Turn site provides

potential for future energy demand. Any heat or power produced by a waste treatment facility at Thorn Turn could be utilised by these proposed dwellings, increasing the efficiency of a waste treatment facility and reducing the carbon footprint of both the urban extension and a waste treatment infrastructure.

Thorn Turn has been identified as having significant potential to deliver a residual waste treatment facility and to co-locate much needed waste infrastructure, such as a Household Waste Recycling Centre (HWRC), a Waste Transfer Station, a Highways/Transport depot and an organic waste treatment facility at a single strategic site. Previous investigations undertaken by the legacy authorities of Bedfordshire County Council and South Bedfordshire District Council have concluded there is sufficient space at the site to deliver a suite of waste management and similar facilities.

Luton and South Bedfordshire Joint Committee Core Strategy Preferred Options document has identified a large urban extension to the north of Houghton Regis, which included the Thorn Turn site. The A5-M1 link road is due to be constructed just to the north of the site, therefore it will benefit from high quality road links. This in line with statement 5 of the spatial vision.

Should any of the other Strategic Sites fail to deliver, there is a risk that there will be insufficient capacity to meet the waste disposal needs of the plan area for the next 15 years. The inclusion of Thorn Turn as a Strategic Site reduces the risk substantially.

Veolia  
Environmental  
Services  
  
(Mr Tony  
Odam)

Y

Veolia Environmental Services supports the identification of strategic waste sites under this policy. The sites have been identified following extensive investigation and represent the most appropriate strategic allocations. Identification of strategic sites in the Core Strategy helps provide certainty to the waste industry in seeking the effective delivery of urgently needed sustainable waste management facilities. The identification of the Thorn Turn site is supported in particular, as it is a well located site in the southern part of the plan area where sites suitable for strategic waste facilities are difficult to find. The Thorn Turn site is considered suitable for the provision of an integrated waste management facility.

WR

**Bellway  
Homes Ltd**

Y

The sites identified for waste recovery uses and for the landfilling of non-hazardous uses within the Plan are the most appropriate, having been the subject of considerable scrutiny through work undertaken in relation to the accompanying Technical Evidence Papers, as well as through previous consultation exercises. Each of the four sites benefit from suitable access to the strategic road network, without the need for Heavy Goods Vehicles to pass through or within close proximity to sensitive land uses, such as residential areas. Each of the sites satisfy Strategic Objective 6 for waste, set out within the Plan for Submission, which correctly identifies waste management facilities as giving rise to large

WR

scale traffic movements and requires locations for such facilities to show that they can accept additional traffic. Paragraph 256 of the Government Waste Policy Review 2011 acknowledges that the Government's ambitions for waste highlight the importance of putting in place the right waste infrastructure at the right time in the right locations. It is important that facilities can operate effectively to ensure efficient treatment of waste, and that they are located in accessible and sustainable locations, close to the sources of waste without having adverse environmental impacts on sensitive land uses in the area. All of the sites satisfy these requirements. The context in which the sites sit are particularly appropriate for these forms of land use. Elstow North currently contains the active Elstow North Materials Recovery and Transfer facility and is within close proximity to the Elstow asphalt plant and an aggregates rail depot. Rookery Pit South is 1.2km from the Stewartby transfer facility, the site at Brogborough is within the former Brogborough landfill area and land at Thorn Turn lies adjacent a sewage treatment works. Much of the necessary infrastructure is already in place and land uses can be effectively collocated, an approach for site identification supported by PPS10 Planning for Sustainable Waste Management at Paragraph 20. All new facilities should be directed towards these strategic sites as a priority.

### **Explanatory note**

There is a strong need for new large scale waste management facilities, and the land to locate them. This includes recovery technologies and operations, and sites for disposal to landfill. The opportunities to dispose of the majority of wastes (i.e. non-hazardous wastes) to landfill are extremely limited in the Plan area, because of a combination of geology and landownership. Only two sites came forward at previous stages of the preparation of the Minerals and Waste Local Development Framework documents, both were assessed as acceptable in land use terms, and have been identified in Policy WCP 2. The reasoning behind the selection of the Strategic waste sites is set out in Waste Technical Evidence Paper 5.

### **Summary response**

- 1. Heritage issues are part of the site specific information which is contained within the Evidence Base concerning site information, and is considered in the Sustainability Appraisal.*
- 2. It is not feasible to insist that Elstow South is landfilled first, before Rookery Pit, within the Core Strategy.*
- 3. Wildlife designations are shown on the Evidence base documents.*
- 4. Elstow North is not yet restored.*
- 5. The question in the planning criteria concerning whether the proposed use of the site would involve Importation of waste is a*

- legitimate question, given that the waste Vision is to achieve a high degree of self sufficiency in waste management provision by the end of the Plan period.*
6. *The co-location of waste management uses can take place on any of the Strategic sites, and a distinction between Rookery Pit and the other Strategic sites is not justified.*
  7. *Waste Technical Evidence Paper 5 sets out the reasoning for identifying Thorn Turn as a Strategic site, and by particular reference to planning constraints which apply to the south-west quadrant of the Plan area. It is also highly desirable that waste facilities are built within and adjacent to areas of new housing and employment growth in order manage waste sustainably, and reduce the distance that waste needs to travel to be managed. The Supplementary Planning Document 'Managing Waste in New Developments' published in April 2006 is intended to promote and assist the development of waste facilities within settlements.*
  8. *Thorn Turn has been identified for good planning reasons, and is appropriate for providing a facility for that part of the Plan area. It is considered unlikely that Harlington would receive traffic from the site. No other potential large scale sites for a waste management use came forward at previous stages of the development of the Minerals and Waste Core Strategy and the predecessor documents within the urban areas of that quadrant of the Plan area. The Core Strategy is mindful of other development aspirations for the immediate locality.*
  9. *The BEaR project is continuing in respect of Central Bedfordshire Council, and Thorn Turn has been used as a reference site in the procurement process.*
  10. *Elstow South is capable of being developed as a landfill site over the majority of its area with appropriate safeguards for adjacent occupiers and other interests of acknowledged importance. There would need to be a purpose built access to/from the A6 so as to cope with traffic movements to/from the site. The wastes to be landfilled there will be progressively reducing in their organic and putrescible content over time, and are likely to be the relatively inert residues of waste recovery activities that have applied to the waste it receives. The proposals set out in the representation by WRG will reduce its potential landfill void space, but provide for recovery capacity to manage waste prior to it being landfilled.*
  11. *The site at Elstow South was identified for landfill in the original Minerals and Waste Adopted Plan in 1996. The Inspector, in her report of 2004, was not convinced of the overall need for landfill at the time to identify any landfill sites including Elstow South. However, she did state that if there had been a demonstrable need for it, she would not have ruled it out. She also concluded that the allocation of the site would not prevent the successful implementation of the Wixhams new settlement. She also concluded that the safeguards in the Plan together with those in the Integrated Pollution Control process provided a sufficient framework to ensure that the protection of the existing and new local communities from an unacceptable level of harm arising from any waste management proposal, including landfilling at Elstow South or elsewhere, is properly addressed.*
  12. *The Strategic sites were not chosen with reference to which Council area they are located in. Out of the sites identified for recovery uses, Brogborough, Thorn Turn, and the majority of Rookery Pit South, are within Central Bedfordshire Council; while*

*part of Rookery Pit South, and all of Elstow North, are located within Bedford Borough. However this is purely accidental, and not intentional. The two sites identified for the landfilling of non-hazardous wastes- Rookery Pit South and Elstow South- have been identified since they are available, and geologically appropriate, as well as acceptable in planning terms. The planning inspector at the Minerals and Waste Local Plan Inquiry in 2003 did place great reliance upon the (now saved) General and Environmental Policies in respect of providing adequate protection for adjacent occupiers and uses.*

- 13. Traffic is an issue which would be considered in handling a planning application for the development of the site.*
- 14. The presence of fish in the waterbodies at Elstow South would need to be considered within any application that came forward to develop Elstow South.*
- 15. The development of land at Thorn Turn is not in principle in conflict with any housing or employment development nearby, and the saved General and Environmental Policies provide appropriate and sufficient protection from any potentially detrimental effects of a waste management use. Waste management facilities are also infrastructure essential to the development of sustainable communities. It is appropriate for new waste management facilities to be close to or within new or extended settlements, so as to provide them with proximate additional transfer and recovery capacity for their requirements. It is also consistent with the Supplementary Planning Document on 'Managing Waste in New Developments'. The Green Belt designation applies to all forms of development, including housing. In the absence of an adopted Plan which identifies land north of Houghton Regis for housing development such development would also be potentially in conflict with national Green Belt policy. Any application in advance of a change in the Green Belt boundary would need to satisfy the tests for a development within a designated Green Belt.*
- 16. The development of the land at Thorn Turn for a Recovery waste management use is not dependent upon the construction of the A5-M1 link road.*
- 17. The land at Thorn Turn is immediately adjacent to a sewage treatment works, and consequently there would need to be a standoff from other development of at least 150 metres.*
- 18. The land at Thorn Turn has been identified within emerging Waste DPDs since 2007, and these documents have been subject to public consultation in accordance with the adopted Statement of Community Involvement, and the standards for consultation laid down by Regulations. The Consultation Statement sets out these matters. Parish Councils have been directly notified of every consultation.*
- 19. Any application to develop Thorn Turn for a waste recovery use will need to address the potential for off site impacts, many of which would need to be addressed by management measures which would be enforced by planning conditions, or else permitting under the control of the Environment Agency.*
- 20. There is no need to change the proposed access into Rookery Pit. There is a level crossing to negotiate but it has been demonstrated with the Covanta proposal that agreement can be sought with Network Rail to enable the use of the crossing by HGVs in order to access a waste management site at Rookery Pit. It may require some upgrading of the crossing.*

**Recommended change**

None.

**Waste Core Policy WCP3: The determination of Applications for Waste Management Developments**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Janet Nuttall</b>  Natural England	S	With regard to Waste Core Policy WCP3, we recommend that the first bullet point is amended to read: “All applications for waste management developments will be determined with regard to <i>national planning policy, specifically PPS 10 Planning for Sustainable Waste Management...</i> ” This will contribute toward the consistency of the Core Strategy with national policy. Natural England welcomes Waste Core Policy WCP5 which includes measures to mitigate and adapt to climate change and Waste Core Policy WCP12 which promotes moving waste management up the waste hierarchy.	CW
<b>Neville Benn</b>  Environment Agency	S	<b>WCP3</b> Landfills and waste management Facilities will require the appropriate PPC Permits.	AE
<b>Ann-Marie Cleghorne</b>	U J/E/D	Champneys has examined the above strategy as it affects Henlow Grange a 2 star Listed Building, immediately adjacent to and in front of which is an unrestricted area of mineral working. The latter has been the subject of a number of planning applications, appeals to the Secretary of State and an Article 14 Directive (now lapsed) by Secretary of State. It is believed that the owner has been working towards an application for waste recovery treatment on the land immediately in front of the Listed Building. The terms of the Strategy are of concern to the company.  The document has been prepared on the basis that environmental, including Listed Buildings,	CW

considerations are brought in by a side word policy WCP3 by reference to the saved policies of the Bedfordshire and Luton Minerals and Waste Local Plan. There is not in the core strategy a firm and transparent statement that future applicants must comply with documented considerations. WCP8 to policy WCP10, WCP15 and WPC16 all suggest that ‘within areas of previously despoiled, contaminated or derelict land’ waste facilities can be the subject of planning consent. For Henlow that unqualified position would be disastrous to the future of the Listed Building and encourage again extensive battles about the future of the land both for the Authority and the owners of the Listed Building now used as an internationally known health farm important for tourism and the economy of the area.

These objections therefore consider that the Plan is amended to make it clear in the stated Policy specifically drafted to environmental and Listed Building considerations that the various matters listed in policies GE1 and GE26 should be made explicit in the Plan itself. Policy WCP3 is inadequate, as it could be the subject of amendment, to control applications on the so-called appropriate sites and protect important interests such as Listed Buildings and their settings.

#### **Explanatory note**

Applications for new waste facilities will be considered against the Waste Core Policies, the Strategic sites set out in WCP 2, and the saved General and Environmental Policies from the Bedfordshire Minerals and Waste Local Plan

#### **Summary response**

1. The General and Environmental Policies were adopted following a public inquiry in 2003, and saved by Direction from the Secretary of State in 2008. These Policies include Policies GE15 on Statutorily designated historic buildings and sites, and GE16 on Local historic buildings conservation areas and Historic Environment sites. These Policies have considerable weight as Saved Policies, and provide sufficient protection for listed buildings.
2. *It is not necessary or appropriate to refer to national policy within a local policy.*
3. PPS 10 will be updated and will form an annex to the proposed National Waste Management Plan, which is expected to be *published for consultation during 2013.*

#### **Recommended change**

**None**



**Waste Core Policy WCP4: The Design and Layout of New Waste Management Facilities**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Kirsten Berry  ERM (Covanta)	S	<p><b>It is submitted that Policy WCP4 is not unsound but can be improved to make it more effective and compliant with national policy.</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed edits are to the policy text: New or extended waste management facilities will be designed with due regard to their scale; <b>the proposed transport mode</b>; their setting ...</li> <li><input type="checkbox"/> The proposed edits are to the supplementary text:</li> </ul> <p>4.21 Waste recycling and recovery facilities contribute to addressing climate change by diverting waste from landfill. However, the design and layout of waste management facilities, <b>the modes of transport used</b>, and operating regimes should also take into account the potential impacts of Climate Change.</p>	AE
Nicky Upton  Harlington Parish Council		<p>The Strategy puts significant reliance upon DEFRA's guidance 'Design guide for Waste Management Facilities' as if compliance will ensure that all relevant aspects and impacts will be taken care of. As a designer of over 200 facilities, I feel that this is misplaced as the guidance is vague and tells one not very much about the design itself.</p>	CW
Matthew Bagnall  Bellway Homes LTD	S	<p>It will be of particular importance for new or extended facilities to consider their scale, setting and general surrounds. It is understood that further detailed policies will be contained within the proposed General and Environmental Policies DPD, which the Council intend to adopt in 2015/16; however, regard must be had to the potential environmental impacts of facilities on nearby land uses within this Plan.</p> <p>The layout and design of new buildings and structures should have full consideration of adjacent occupiers and nearby land uses; appropriate forms of screening should be used to minimise visual impact and hard landscaping and noise bunds may be required to reduce noise impact. Particular</p>	CW

consideration should be had to Annex E of PPS 10 which outlines the criteria by which the suitability of the location of proposed waste sites should be tested. Considerations include visual intrusion, traffic and access, odours, air emissions and dust, bird and vermin problems, noise and vibration and litter. Consideration should also be given to potential land use conflict; likely proposed development in the vicinity of the site should be taken into account when considering sites for waste facilities. Similarly, applications for the extension of waste management facilities or the intensification of activities should have regard to the site's current context; new development, particularly sensitive land uses, may have been constructed within close proximity to the existing site since it was originally approved planning permission. Extensions to existing facilities are unlikely to be appropriate in these instances. Where applications for new or extended facilities are approved, these should be subject to planning conditions, many of which should relate to the considerations listed within Annex E of PPS10 and these conditions should be strictly enforced.

**Jon Balaam**      S      The policy would be enhanced if it also included reference to the need to minimise impacts upon biodiversity (both direct and indirect).      CW

The  
Greensand  
Trust

#### **Explanatory note**

Policy WCP 4 requires new waste facilities to be designed so as to be more compatible with the landscape and townscape in which they are sited. This derives from the unattractiveness of some historic waste uses, and the explicit wish to see more attractive and better designed waste management operations in the Waste Strategy 2007.

#### **Summary response**

1. Biodiversity would be considered in relation to the saved Policies, several of which consider biodiversity and designated sites.
2. Every facility will be considered on its merits and in relation to its specific land use context.

#### **Recommended change**

None

**Paragraph 4.21: The Design and Layout of facilities**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Nick Baston</b>  Energos	U	Expand the statement to recognise that waste management facilities can also generate renewable and low carbon electricity and renewable low carbon heat so not only divert waste from landfill but also replace fossil fuels and that as renewable energy developments fall to be considered in accordance with the policies in PPS 22 as well as PPS 10.	AE

**Explanatory note**

Waste recycling and recovery facilities contribute to climate change, which is an acknowledged issue in planning for all forms of development.

**Summary response**

1. Paragraph 4.21 provides the background for Policy WCP 5 on Climate Change. The scope for waste management facilities to generate electricity and heat is not believed to be directly relevant.

**Recommended change**

None

## Waste Core Policy WCP5: Climate Change

Name Organisation	S or U	Representation	PW or CW or AE
Rio D'Souza	S	<p><b>Climate Change</b></p> <p>It is considered that travel plans brought forward in support of future planning applications should include meaningful measures to reduce vehicle trip generation, for example measures which incentivise car sharing for staff (or disincentives for single occupancy travel), controlling the number of HGV movements during busy peak hours, setting out HGV route plans in broad compliance with the local freight strategy. The Highways Agency wishes to be engaged at an early stage in the development of travel plans to ensure they meet its needs. The Highways Agency nonetheless supports this policy.</p>	CW
Highways Agency			
Neville Benn	S	<p>We support the measures to reduce climate change.</p> <p>Whilst it is encouraging to note that – through policy references WCP5 and MCP10 – the use of appropriate Sustainable Drainage Systems (SuDS) is encouraged for post-restoration sites, it is considered remiss that there are no specific policies governing impacts of fluvial flood risk.</p> <p>The policies mentioned above will seek to ensure that impacts on flood risk from surface water runoff are not increased – and where possible betterment is provided. This is particularly important when considering proposals that entail post-restoration plans to alter the existing surface water runoff regime, for example by providing clay-capping or altering the land contours.</p> <p>However, it must be recognised that many mineral extraction sites and some proposed waste sites (particularly in sites that were previously used for extraction) are situated very close to watercourses and within active flood plains. The River Basin Management Plans are mentioned briefly, but there do not appear to be any policy aspirations towards preventing increase in flood risk impacts from fluvial sources, or indeed providing betterment. An example would be the Covanta site at Stewartby former land fill site, where fluvial flood risk had to form part of the impact assessment for the Infrastructure</p>	WR
Environment Agency			

Planning Commission (IPC) submission, as the proposals had a real impact on fluvial flood risk. Other examples may be sites proposed for extraction or restoration within the floodplain wherein ground levels and contours are proposed to be altered, perhaps creating displacement of floodwaters.

It is recommended that policy objectives are inserted or amended to take account of the impacts to and from fluvial flood risk, so that aspirations and objectives arising from this document may then be embedded at the strategic planning level.

Natural England (Ms Janet Nuttall)	S	Natural England welcomes Waste Core Policy WCP5 which includes measures to mitigate and adapt to climate change and Waste Core Policy WCP12 which promotes moving waste management up the 'waste hierarchy'.	WR
Bellway Homes Ltd	S	As with any development, it will be important to consider the overall impacts on climate change and measures should be introduced on suitable waste sites to reduce greenhouse gas emissions. Planning Policy Statement 'Planning and Climate Change' Supplement to PPS1 sets out how planning should help promote places with low carbon emissions and, specifically, provides details on the selection of land for development and local requirements for sustainable buildings. Planning authorities should take into account a number of factors when considering the location of new developments and these are listed at paragraph 24 of the Supplement. These factors include the capacity of existing and potential infrastructure (including for waste management) to service the site or area in ways consistent with cutting carbon dioxide emissions and successfully adapting to likely changes in the local climate.? Consequently, where there is not capacity on existing roads for the proposed scale of operations, or where sites have poor access to the strategic road network, planning applications should be refused. Similarly, where extensions to existing facilities or intensification of activities are proposed, the capacity of existing infrastructure, and particularly the local road network at the time of the application for extension, should be considered; where there is not capacity on existing roads for the proposed increase of activities at a site, planning applications should be refused. Paragraph 30 of the Supplement requires local planning authorities and developers to engage constructively and imaginatively to encourage the delivery of sustainable buildings. Paragraphs 31 and 32 make it clear that local circumstances may dictate situations whereby higher standards of building sustainability than those set out nationally will be required. Where requirements for higher standards cannot be met, the Supplement is clear in stating that the proposed developments will not be suitable for those locations and should not therefore be allowed. The Policy identifies the need for proposals to demonstrate how	WR

location and transportation related to the development will limit greenhouse gas emissions. There is a requirement for travel plans to be submitted to demonstrate sustainable transport measures, which is supported. Transport Assessments will also be required for the majority of applications, particularly those which propose a significant increase in vehicular movements on the local road network. Transport Assessments should consider routes taken by those using the site, particularly heavy goods vehicles, to access the strategic road network. Routes should be agreed with the Council's and should be the subject of legal agreements to ensure traffic follows these agreed routes. Such legal agreements may be required for the extension or intensification of existing waste facilities. Where significant numbers of vehicles require access via residential areas or within close proximity to residential areas, the proposals are likely to be unsuitable and should be refused.

**Explanatory note**

Waste recycling and recovery facilities contribute to climate change, which is an acknowledged issue in planning for all forms of development. Travel Plans are specifically referred to in the supporting text to the Climate change policy.

**Summary response**

This Policy addresses the climate change implications of waste management.

**Recommended change**

**Additional words: 'The proposed measures shall be specified and the means of monitoring specified.'**

**Examples of measures will be removed and added to the text in paragraphs 4.26.**

## Waste Core Policy WCP 6: Catchment Area Restrictions and paragraph 4.23

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Rio D'Souza  Highways Agency	S	It is considered that this policy should help to ensure that the transport impacts of sites do not change significantly over time.  Paragraph 4.23 of the MWCS (page 26) indicates that a cap of 20% of waste arising at any one site to originate from outside the plan area will be enforced. The Highways Agency supports the principle of applying a cap, with the objective of limiting the distance that waste is transported over, potentially via the Highways Agency's road network.	CW
Kirsten Berry  ERM on Behalf of Covanta Energy	U – E, J NP	<b>Waste Core Policy WCP6</b> refers to Catchment Area Restrictions for new waste management facilities. The rationale for WCP6 is set out in <b>paragraph 4.23</b> : Article 16 of Directive 2008/98/EC (the Revised WFD) is titled 'Principles of self-sufficiency and proximity'. It requires the following (our emphasis)  <i>1. Member States shall take appropriate measures, in cooperation with other Member States where this is necessary or advisable, to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers, taking into account best available techniques.</i> <b>2. The network shall be designed to enable the Community as a whole to become self-sufficient in waste disposal as well as in the recovery of waste referred to in paragraph 1, and to enable Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.</b> <b>3. The network shall enable waste to be disposed of or waste referred to in</b>	AE

*paragraph 1 to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.*

Thus, the Revised WFD makes clear that what is being sought is a network of waste management facilities that will enable each Member State (not each administrative area) to be self-sufficient and for waste to be recovered (or disposed of) in one of the nearest, appropriate installations. This approach is made clear in Defra's 2009 consultation on the implementation of the Directive and has been enshrined in the Waste (England and Wales) Regulations 2001 (at Schedule 1, Part 1 (4)). It has most recently been set out in the Government Review of Waste Policy in England 2011, not least at paragraph 263:

*'There is no requirement for individual authorities to be self sufficient in terms of waste infrastructure and transporting waste to existing infrastructure to deliver the best environmental solution should not be considered a barrier.'*

The importation or movement of waste, and the framework provided by relevant national, regional and local policy, is addressed at Section 7.11 of the Planning Statement submitted with the DCO application. The discussion concludes at paragraph 7.11.

*'A proper understanding of the environmental benefits of the Project, and recognition that these significantly outweigh environmental burdens (an approach that delivers sustainable development) demonstrates that no material harm arises from the proposed movement of wastes.'*

The WRATE, Carbon and Efficiencies of Scale Report considered the environmental burdens that would result in the event that some waste was secured from beyond the administrative areas considered in the Need Assessment. The WRATE, Carbon and Efficiencies of Scale Report demonstrated that each tonne of waste could be transported an additional ~169km before the environmental benefits presented by the Project are reduced to the same level as a dispersed network of smaller plants. This assessment was based on road movements, and the distance that waste could travel without reducing benefits can be expected to increase should rail transport be used instead.



The sourcing of waste is a commercial matter, and it is not appropriate to seek to control the origins of waste by condition or legal obligation. Restricting waste collection to a geographically defined waste catchment area would contradict the legal obligation under Article 5(2) of the Revised WFD. Imposing such a condition would prevent deliveries from beyond any such defined catchment area where the recovery facility was, in reality, the most suitable destination offering a sustainable solution to waste management.

The IPC agreed with this explanation, principally at paragraphs 5.31 and 5.32 of its report (1), following consideration of the related matters (presented in paragraphs 5.16 to 5.23 and 5.29 to 5.32 of the report).

Recent decisions by the Inspectorate and by the Secretary of State also make clear that this is the correct approach, not least in relation to proposals for recovery facilities by Sita at Severnside, by Covanta at Rookery South and by Viridor at Avonmouth and Ardley. At Ardley, the Inspector considered 'Condition 18' proposed by the waste planning authority seeking a restriction on the origin of the waste. At paragraph 15.15, the Inspector concluded:

*'I do not accept that condition 18 suggested by OCC would be enforceable or reasonable. The source of C&I waste could not be ascertained with any degree of certainty given the likely variability of the origins of waste from transfer stations. In any event, it would be more sustainable and consistent with the proximity principle to accept waste from close to the Oxfordshire boundary, albeit outside the county, if the facility would be the one which was the nearest. One could expect a similar situation to occur in reverse where C&I waste which originated within Oxfordshire, but close to the boundary of an adjoining WDA, could be transported to be managed within that authority. In my opinion, that would be reasonable and would reflect the evolution of a mosaic of facilities able to manage MSW and C&I waste in a sustainable fashion by minimising transport costs. Therefore, I do not support the condition suggested by OCC.'*

Whilst clearly each local authority should make an appropriate contribution to the delivery of the network of waste facilities sought, there is nothing provided in either national policy or the Technical Evidence Papers to justify the restriction on waste catchment area set out in policy WCP6.

**It is submitted that Policy WCP6 is unsound.**

- It is not consistent with the Revised Waste Framework Directive, Waste Strategy for England 1007, the Government Review of Waste Policy in England 2011, or PPS 10.
- It is not justified – there is no clear evidence base to justify the policy.
- It is not effective – the policy may serve to prevent the effective delivery of sustainable waste management infrastructure Soundness can be achieved by deleting policy WCP6 from the draft Core Strategy.

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**Catchment Area Restrictions: Policy WPC6 and Paragraph 4.23**

The ‘Preferred Options’ document (2010) included a draft policy CP1 which sought to restrict waste recovery and disposal capacity “*solely for waste arising within the plan area, as well as an apportionment of waste from London.*”

We objected to this policy on the basis of lack of flexibility: inconsistency with regional (and national) guidance; and the way in which the policy would deny opportunities for economies of scale in the provision of waste management facilities.

Draft policy WPC6 has been revised, but it continues to require developers to enter into legal agreements to restrict the origin of waste which they receive, with paragraph 4.23 suggesting an arbitrary limit of 20% of waste originating from outside the plan area.

This policy is seeking to repackage the “proximity principle” which was previously set out in the 1999 version of PPG10, which indicated that waste should be managed as close to source as possible. However, this guidance was replaced in 2005 in an updated **PPS10**, with a requirement to enable waste to be disposed of in one of the nearest appropriate installations (emphasis added), paragraph 3. One of the purposes of the change was to reflect the fact that travel distance is only one aspect of sustainability, and needs properly to be balanced against all other relevant considerations.

This stance is similarly reflected in the **Waste Strategy for England, 2007**, which notes that many of the interventions needed to deliver sustainable waste management rely on action at a broader

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geographic scale than a single local authority (chapter 6 paragraphs 19). This theme is continued in the **Government Waste Policy Review 2011** which confirms a need for Councils to work together at waste management needs across different streams and across administrative boundaries, noting that there is no requirement for individual authorities to be self sufficient in terms of waste infrastructure, and transporting waste to existing infrastructure to deliver the best environmental solution should not be considered a barrier.” (Paragraph 263).

The advice is echoed in the **Waste Regulations 2011** which requires a network of waste disposal and recovery installations to enable waste to be disposed of and mixed municipal waste collected in private households to be recovered in one of the nearest appropriate installations by means of the most appropriate technologies”.(Schedule 1, part 1, Paragraph 4 (3)).

It is thus apparent that it is not a requirement for each local authority administrative area to be self sufficient in waste management capacity, and it follows that local authorities should not place barriers to the movement of waste to “appropriate installations” which are using “appropriate technologies.” Policies should thus not prevent or hinder the movement of waste across administrative boundaries. In those terms, Policy WPC6 is contrary to National Policy set out in the Waste Strategy; it is conflict with advice in the Government Waste Policy Review; and it is in conflict with the Waste Regulations.

These arguments were fully rehearsed at the Rookery South IPC Covanta Examination, where the Panel reached firm conclusions that the “proximity principle” was superseded and that it would not be correct to restrict the origin of waste being treated at an appropriate installation. Numerous recent waste management appeal decisions have reached the same conclusion (e.g. Sita UK Ltd, Severnside, South Gloucestershire – September 2011, and Peal Environmental Ince Ltd, Manchester – August 2009).

In the above context, Policy WCP6 is unsound on the basis that:

- (i) It is not consistent with national policy;
- (ii) It is not justified with no evidence base to support a departure from national policy; and
- (iii) It is not effective in that it may serve too unreasonably and unnecessarily frustrate the effective use of an “appropriate installation” to manage waste.

Police WCP6 and paragraph 4.23 should be deleted.

<b>Nick Baston</b>	U - J	<b>Paragraph 4.23</b>	AE
Energos		a catchment restriction of 20% is not justified and appears to be arbitrary. The 20% is not justified. Materials destined for recycling/reuse travel long distances - why should waste (a fuel) be the subject of a different approach.	
<b>John Shephard</b>	U – J, E and NP	<b>Waste Core Policy WCP6:</b> Catchment Area Restrictions is considered to be unsound. It is considered to be unjustified, ineffective and inconsistent with national policy. The submission draft policy is also potentially misleading and lacking in clarity. In particular, the chapter appears to indicate that it is considering Strategic Waste Sites and Waste Core Policies. The policy text refers to ‘any facility permitted’ but then seeks to apply legally binding agreements on ‘developers of new strategic facilities’. No justification is provided to support this policy. It is unclear whether the policy will apply equally to all new facilities. RSS Policy WM3 : Imported Waste commits the region to a progressive reduction in imported waste and apportionment of London waste. However, the RSS policy does not support any arbitrary limit to a local plan area. Whilst catchments can, in principle, be an important material consideration in determining the most appropriate location for new waste facilities, in order to minimise unnecessary transport and contribute to the aims of sustainability, in the case of this plan area there are significant flows of waste across the plan boundary from and into Cambridgeshire. The plan boundary is an inappropriate and unsound basis for defining a catchment. The proposed 20% limit on handling waste from outside the plan area is unjustified and not supported by national guidance.	AE
Bellway Homes Ltd	S	Waste sites should be located as close to the source of waste as possible in order to improve the sustainability credentials of the facility. It will be important to restrict the origins of waste going to	WR

facilities to within the Plan area in order to meet the waste management targets outlined within the Plan for Submission.

### **Explanatory note**

The European Waste Framework Directive (WFD) 2008/098/EC is concerned with the provision of facilities by Member states of the European Community, and expresses the requirement for establishing an integrated and adequate network of facilities for the disposal and recovery of municipal waste. However the definition of municipal waste is extending to refer to all waste similar to household collected wastes. The WFD sets out the intention that municipal waste will be recovered in one of the nearest appropriate installations, as part of an overall network. This is set against the context of the European community becoming a recycling society.

Historically municipal and business sector wastes have, in some instances, been managed at a considerable distance from where it was produced. This adds considerable detriment to the environment of the receiving area, as a result of emissions from haulage, road wear and tear, and the relocation of the pollution and disamenity caused by the management of waste beyond the area where the waste arises. Haulage costs are substantial proportion of the overall costs of the management of wastes, and will continue to rise. It makes financial, as well as environmental sense to manage wastes as close as possible to the area in which they arise. Communities in the Plan area are increasingly willing to take responsibility for managing the various kinds of waste that they produce, and not continuing the historical practice of managing of geographically distant communities.

Within the context of the 2008 WFD, and that European Community Member States are striving to become 'recycling societies', waste is continuing to travel significant distances to reach locations where it will be subject to the more intensive recovery processes, and disposal to landfill. This situation is neither necessary nor desirable for the reasons set out above. In order that local communities take greater responsibility for the wastes that they produce, a Catchment Area Restriction would operate by capping the proportion of waste that a waste management facility handles which originates from outside of the Planning Authority area. This is not intended to act as a total ban on imports, but instead is intended to operate flexibly according to the circumstances of the area, and the facility proposed. A considerable number of such restrictions have been used in decisions made by the Secretary of State, as well as by Local Planning Authorities (see Waste Technical Evidence Paper 6), and are a reasonable and proportionate means to ensuring the provision of additional waste management capacity applies predominantly to the waste that is produced within the Plan area.

### **Summary response**

1. The Core Strategy includes a Waste Vision in which a high majority of waste from the Plan area is managed within its area, and in order to achieve that Vision the Core Strategy provides waste management capacity primarily but not exclusively, for waste originating from within its area. Allowance is also made for small but diminishing amount of post-treatment waste from London. In addition it is accepted that a minority of

wastes to be handled by new facilities within the Plan area may arise from beyond its area. However given the geography of the plan area, its growth aspirations, and the increasingly limited availability of contaminated, derelict or land awaiting reclamation, it is appropriate for the Core strategy to include such a Policy. *Each planning application will be considered on its merits. As a guide, no more than 20% of waste should be managed at any given waste management facility, which originates from beyond the Plan area.*

2. Given the recent decisions by the Secretary of State it is appropriate to use Conditions or Legal Agreements to restrict the catchment area of waste.

**Recommended change**

**1. Amend the second sentence of WCP 6 to read: “....will is subject to restrictions to control the origin of waste that they receive....”**

**Waste Core Policy WCP7: Including waste management in new build developments**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Rio D’Souza  Highways Agency	S	Facilities and other measures incorporated into new developments which encourage waste recovery and storage at source could lead to a reduction in traffic. The cumulative impact of this approach across the plan area may be significant and thus may contribute to a reduction or minimisation of HGV movements on the Highways Agency’s road network. The Highways Agency therefore supports this policy.	CW
Neville Benn  Environment Agency	S	<b>WCP7</b> Including waste management in new development is seen as a positive step.	CW

**Explanatory note**

Waste is produced in a number of built developments (houses, shops, factories, offices etc) and the first stage in its management which would enable greater recovery, is to include waste management facilities within new build developments.

**Summary response**

No amendment necessary.

**Recommended change**

**No change.**

**Waste Core Policy WCP8 Non-Hazardous waste transfer and materials recovery**

Name Organisation	S or U (J /E/ D)	Representation	PW or CW or AE
<b>Neville Benn</b> Environment Agency	S	<b>WCP8</b> Adequate provision for sorting and bulking waste is particularly important and necessary as the landfilling decreases.	CW
<b>Kirsten Berry</b> ERM on Behalf of Covanta Energy	U – E, J	<b>Waste Core Policy WCP8</b> refers to non hazardous waste transfer and materials recovery. The final criterion presented in the policy refers to <i>'the proximity principle with regard to the anticipated source of waste.'</i>  Policy WCP8 makes an erroneous and unjustified reference to the proximity principle. The Revised WFD and national waste policy, not least PPS 10, makes clear that sustainable waste management is concerned with more than simply the distance that waste may be transported.  <b>It is submitted that Policy WCP8 is unsound in its reference to the proximity principle.</b> <input type="checkbox"/> It is not consistent with the Revised Waste Framework Directive, Waste Strategy for England 1007, the Government Review of Waste Policy in England 2011, or PPS 10. <input type="checkbox"/> It is not justified – there is no clear evidence base to justify the policy. <input type="checkbox"/> It is not effective – the policy may serve to prevent the effective delivery of sustainable waste management infrastructure Soundness can be achieved by deleting this reference from policy WCP8.	AE
<b>Graham Jenkins</b> O & H Properties	U – E, J or consistent with National Policy	The final bullet point in Policy WCP8 makes reference to the “proximity principle”. For the reasons set out in response to Policy WCP6, the “proximity principle”, as set out in PPG10 has been superseded and removed from national waste policy via PPS10, the Waste Strategy for England 2007 and the Waste Regulations 2011.	AE



The reference to the “proximity principle” is thus;

- (i) not consistent with national policy;
- (ii) not justified with no evidence base to support a departure from national policy; and
- (iii) not effective in that it may serve too unreasonably and unnecessarily frustrate the effective use of an “appropriate installation” to manage waste.

The final bullet point of WCP8 should be amended and shortened to read:  
*“No land in the above categories is available”*

Ian Gorton S  
WRG

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We would also support policy WCP8 as well if the above changes were made. However, in its current wording, we cannot support this policy as drafted. The policy states that “Proposals for waste transfer and material recovery operations will be directed towards:

- A strategic recovery site set out in WCP 2; or
- An existing employment area of similar uses; or
- Within the area of and for the duration of an existing planning permission for a waste related use; or
- Within the area of and for the duration of an existing planning permission for minerals extraction; or
- Within the area of despoiled, contaminated or derelict land.

Proposals for waste transfer/materials recovery operations in location other than those listed above will only be permitted if it can be demonstrated that:

- They serve an identified local need which can not be met by existing facilities, and;
- No land in the above categories is available, or that use of such land would be contrary to the proximity principle with regard to the anticipate source of waste”

We consider that this policy in its current form is too restrictive and does not allow for a strategic

waste recovery and processing facility to come forward at Elstow South. We consider that the plan can be made sound by allowing Elstow South to be identified as a strategic recovery site. This would offer the flexibility that the CS requires.

For policy WCP10 our position is as per policy WCP8.

We respectfully request that the above changes are made and we would request attendance at any subsequent Examination in Public.

Bellway  
Homes Ltd

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The Policy is not justified as it is not the most appropriate strategy when considered against reasonable alternatives. The Plan for Submission is clear in that the sites identified for waste recovery in Policy WCP2 are the most appropriate and that they provide the locations where large scale recovery operations should take place. These sites have been the subject of considerable scrutiny through work undertaken in relation to the accompanying Technical Evidence Papers, as well as through previous consultation exercises. As such, Policy WCP8 should be clear in that proposals for waste transfer and material recovery operations should be directed to these sites as a priority, and only if it can be proven that these sites are unavailable, should other sites be considered. The Policy should require all proposed locations for waste transfer/materials recovery operations not within one of the strategic sites listed within Policy WCP2 to demonstrate that no land at the strategic sites is available and that, where relevant, they serve an identified local need which cannot be met by existing facilities. Existing employment areas, and often sites with existing planning permission for waste related uses, are often no more appropriate for waste related uses than many other areas. They are often safeguarded for employment uses through development plan policies and in these instances they should continue to be safeguarded for B1, B2 and B8 use. Many waste facility proposals fall outside of these use classes and often create few additional jobs; proposals for intensification or extension to waste facilities may create no additional jobs whatsoever. In many cases the siting of waste facilities in these locations would be contrary to development plan policies. Sites that benefit from existing planning permission for waste related uses are often located in areas where the original character of the area has fundamentally changed since the original application was granted. Extensions to existing sites or intensification of activities will often not be appropriate. Residential development and other

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development of a sensitive nature may have occurred since the original application was approved; in these cases the character of the area may be predominantly residential and these are factors of material importance which must be taken into account by local planning authorities when determining applications. Applications should be accompanied by appropriate technical reports and assessments relating to transport, noise and potential adverse air emissions to demonstrate that there is no detrimental impact on residential amenity or concerns over safety. Particular consideration should be had to Annex E of PPS 10 which outlines the criteria by which the suitability of the location of proposed waste sites should be tested. It is understood that further detailed policies will be contained within the proposed General and Environmental Policies DPD, which the Council intend to adopt in 2015/16; however, regard must be had to the potential environmental impacts of facilities on nearby land uses within this Plan. The Policy should also contain a minimum distance to occupied properties of at least 250metres where proposals are put forward for waste transfer and material recovery sites outside of the strategic sites set out in WCP2, as has been done for Policy WCP9 Composting. Non-hazardous waste transfer and materials recovery facilities are known to emit odours as well as cause problems related to dust and adverse air emissions. As well as requiring this minimum distance, planning conditions should be enforced for any approved planning applications concerning prevention of adverse environmental impacts on sensitive receptors.

### **Explanatory note**

Non-hazardous waste transfer and materials recovery operations separate reusable materials from a general waste stream, and can bulk up wastes for onward despatch to other waste facilities. They provide a desirable and highly beneficial link in the overall network of waste management facilities in a given area, between arisings, and facilities which can recover materials or energy from wastes. However the Core Strategy area is subject to a number of constraints in respect of protection areas, housing growth, and the availability of land appropriate for these uses.

### **Summary response**

1. Prior to disposal to landfill or intensive recovery operations (the subject of Waste Core Policies 9, 10, 11, 12, 13, 14, and 15) waste may be separated and bulked up for management elsewhere, or reuse.
2. It is appropriate to encourage these facilities so long as they occur on the broadly suitable classes of land in the first half of the Policy.
3. *The reference to the proximity principle is accurate given that it is directly referred to in the Waste Framework Directive 2008 Article 16, entitled 'principles of self-sufficiency and proximity'.*

**Recommended change**

1. Delete 'recovery' from the first bullet point.

**Waste Core Policy WCP 9: Composting**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Neville Benn (Environment Agency)</b>	-	<b>WCP9</b> Composting requires an impermeable pavement and sealed drainage to control potential leachate. The location of compost sites needs to consider odour issues.	CW
<b>Nicky Upton</b> Harlington Parish Council	-	Open-air composting was not advisable because of the smell especially as it was understood that Haynes had a major issue with this when this was initially undertaken there;	CW
Veolia Environmental Services (Mr Tony Odam)	U	As worded this policy appears to rule out enclosed composting facilities on strategic sites identified under Policy WCP2. Policy WCP10 specifies such locations as suitable for AD facilities, and it is not considered that justification is provided in the document for the exclusion of enclosed composting facilities, which in planning terms should not be subject to greater restrictions than AD facilities. In some cases it might be appropriate to develop such facilities in combination with AD processes. As worded the policy could impede the effective delivery of essential sustainable waste facilities. This policy could be made sound by the addition of a criterion "within a strategic recovery site as set out in WCP2" on the same basis as that set out in Policy WCP10 relating to Anaerobic Digestion.	CW
Bellway Homes Ltd	S	The requirement of a minimum distance of composting facilities to sensitive receptors including residential properties, work places and other occupied buildings is supported. This minimum distance should also be in place for non-hazardous waste transfer and materials recovery facilities, sites for anaerobic digestion and sites for the recycling of inert waste, as adverse environmental impacts including but not limited to odour, dust and noise pollution can be present at all of these facilities.	CW

**Explanatory note**

The recovery of organic wastes can be achieved through open air or in vessel composting methods. It is acknowledged that open air methods have the potential to impact on adjacent occupiers. However there is guidance in respect of health impacts, and Permitting of such facilities by the Environment Agency should address odour management. Any planning application would be determined in accordance with the General and Environmental Protection Policies which contain provision for safeguarding a range of interests.

**Summary response**

Open air composting facilities has the potential to impact upon human health and amenity, such that a standoff distance is appropriate.

**Recommended change**

None.

**Waste Core Policy WCP10: Anaerobic Digestion**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Neville Benn</b>	CW	<b>WCP10</b> Anaerobic Digestion requires appropriate location as methane is generated with in the vessels. Sites will need standard impermeable pavement and sealed drainage and bunding, to reduce potential pollution risks.	CW
Environment Agency <b>Ian Gorton</b>		We would also support policy WCP8 as well if the above changes were made. However, in its current wording, we cannot support this policy as drafted. The policy states that "Proposals for waste transfer and material recovery operations will be directed towards:	AE
WRG		<ul style="list-style-type: none"> <li>• A strategic recovery site set our in WCP 2; or</li> <li>• An existing employment area of similar uses; or</li> <li>• Within the area of and for the duration of an existing planning permission for a waste related use; or</li> </ul>	

- Within the area of and for the duration of an existing planning permission for minerals extraction;  
or
- Within the area of despoiled, contaminated or derelict land.

Proposals for waste transfer/materials recovery operations in location other than those listed above will only be permitted if it can be demonstrated that:

- They serve an identified local need which can not be met by existing facilities, and;
- No land in the above categories is available, or that use of such land would be contrary to the proximity principle with regard to the anticipate source of waste”

We consider that this policy in its current form is too restrictive and does not allow for a strategic waste recovery and processing facility to come forward at Elstow South. We consider that the plan can be made sound by allowing Elstow South to be identified as a strategic recovery site. This would offer the flexibility that the CS requires.

For policy WCP10 our position is as per policy WCP8.

We respectfully request that the above changes are made and we would request attendance at any subsequent Examination in Public.

**Bellway  
Homes Ltd**

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The Policy is not justified as it is not the most appropriate strategy when considered against reasonable alternatives. The Plan for Submission is clear in that the sites identified for waste recovery in Policy WCP2 are the most appropriate and that they provide the locations where large scale recovery operations should take place. These sites have been the subject of considerable scrutiny through work undertaken in relation to the accompanying Technical Evidence Papers, as well as through previous consultation exercises. As such, Policy WCP10 should be clear in that proposals for anaerobic digestion and other energy recovery operations should be directed to these sites as a priority, and only if it can be proven that these sites are unavailable or unsuitable, should other sites be considered. Existing employment areas, and often sites with existing planning permission for waste related uses, are often no more appropriate for waste related uses than many other areas. They are

CW

often safeguarded for employment uses through development plan policies and in these instances they should continue to be safeguarded for B1, B2 and B8 use. Anaerobic digestion proposals fall outside of these use classes and often create few additional jobs; proposals for intensification or extension to facilities may create no additional jobs whatsoever. In many cases the siting of such facilities in these locations would be contrary to development plan policies. Sites that benefit from existing planning permission for waste related uses are often located in areas where the original character of the area has fundamentally changed since the original application was granted. Extensions to existing sites or intensification of activities will often not be appropriate. Residential development and other development of a sensitive nature may have occurred since the original application was approved; in these cases the character of the area may be predominantly residential and these are factors of material importance which must be taken into account by local planning authorities when determining applications. Applications should be accompanied by appropriate technical reports and assessments relating to transport, noise and potential adverse air emissions to demonstrate that there is no detrimental impact on residential amenity or concerns over safety. Particular consideration should be had to Annex E of PPS 10 which outlines the criteria by which the suitability of the location of proposed waste sites should be tested. It is understood that further detailed policies will be contained within the proposed General and Environmental Policies DPD, which the Council intend to adopt in 2015/16; however, regard must be had to the potential environmental impacts of facilities on nearby land uses within this Plan. The Policy should also contain a minimum distance to occupied properties of at least 250metres where proposals are put forward for anaerobic digestion facilities outside of the strategic sites set out in WCP2, as has been done for Policy WCP9 'Composting'. Although the process of anaerobic digestion may be relatively innocuous, problems with odour emissions do exist, particularly with the unloading and transfer of waste materials on site. Additional concerns related to heavy goods vehicles using the sites are also present in the form of adverse air emissions and noise. As well as requiring this minimum distance, planning conditions should be enforced for any approved planning applications concerning prevention of adverse environmental impacts on sensitive receptors.

### **Explanatory note**

Elstow South is a large mineral working void which is the result of previous brick clay extraction. It was previously suggested as a landfill site for non-hazardous wastes. The landowner has now brought forward proposals which include a number of recovery processes adjacent to a reduced area of land to be landfilled.

### **Summary response**

It is highly desirable that recovery processes precede disposal to landfill, since a high proportion of the valuable contents of the waste can be recovered before the residue is landfilled. However it is considered more appropriate to promote recovery processes applying to waste prior to the residue being landfilled by further alterations to the landfilling policy, WCP 12.

### Recommended change

Delete the word 'recovery' from the first bullet point.

#### Waste Core Policy WCP11: Energy generation from waste

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Neville Benn</b> Environment Agency	S	<b>WCP11</b> Combined Heat and Power (CHP) applications with recycling ash to secondary aggregate and recycling metal are considered best practice.	CW
<b>Kirsten Berry</b> ERM on Behalf of Covanta Energy	S	Covanta strongly agrees with much of what is sought to be achieved through Policy WCP11, and it is generally considered sound. However, ' <i>maximum practicable</i> ' recovery is not defined in the draft Core Strategy and is not a phrase used in either the Revised WFD or national waste documents. It should be removed.  Requirement 41 of the DCO intended to be granted by the IPC refers to a Residual Waste Acceptance Scheme. The Scheme refers to comprehensive recycling wherever practicable – a phrasing that more accurately reflects national legislation and policy than Policy WCP11.  <b>Paragraph 4.28</b> refers to the Renewables Obligation Certificate scheme (ROCs) and states that ' <i>Bespoke energy-from-waste facilities should be sited close to major sources of waste.</i> '  Covanta would caution against specific reference to schemes such as ROCs as they are liable to	AE



change by Government and may quickly render the draft Core Strategy out of date. Covanta supports the intended allocation of Rookery South Pit, but is unclear on what is meant by the phrase 'bespoke' energy from waste facilities. Further, there is no justification to support the requirement for energy-from-waste facilities to be sited close to major sources of waste in the submitted evidence base. Finally, we note that there is editorial inconsistency within the supplementary text.

**It is submitted that Policy WCP11 is not unsound but can be improved to make it more effective and compliant with national policy.**

The proposed edits are to the policy text:

Proposals for energy generation will be viewed favourably only where they recover energy from waste which has already undergone maximum recovery comprehensive recycling where practicable and permitted at the locations identified in WCP2. ...

The proposed edits are to the supplementary text:

~~... Waste management facilities, which are bespoke~~ Energy from waste facilities, can recover the energy from ~~the~~ waste that has been subject to ...

~~..... Bespoke 'energy from waste' facilities should be sited close to the major sources of waste, and~~ Energy from waste facilities are directed to the strategic sites in WCP2. ...

Nick Baston U - J

Energos

Specific sites for energy generation from waste should not be set - insufficient justification has been given for the location of the preferred recovery sites in the draft plan - the scoring system is not justified and doesn't appear to follow a logical pattern with spurious scores being awarded to sites - a criteria based approach to the allocation of renewable energy facilities (energy from waste) is suggested in PPS 22. The policy is not justified.

CW

### Explanatory note

The generation of energy from waste is an important benefit of several forms of waste management.

### Summary response

1. The selection process for Strategic waste sites is discussed in detail in Waste Technical Evidence Paper 5., which explains that Strategic waste sites were not selected by scoring alone, but by considering their merits with particular reference to their location, and other emerging development in their locality.
2. The degree of pre-treatment of waste, prior to its management by an energy from waste process, is critical. Much of the materials value in the waste stream, can be lost, unless it has undergone high level of pre-treatment and has recovered the maximum practicable value beforehand, before it is subject to energy generating processes.

**Recommended change**

1. Add a footnote to refer to Waste Technical Evidence Paper 5.
2. Add a definition of 'maximum practicable value' in the Glossary.
3. Delete the word 'bespoke' from the text in paragraph 4.28.
4. Delete the reference to ROCs

**Waste Core Policy WCP12: Landfilling of Waste**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Neville Benn</b>  Environment Agency	S	<b>WCP12</b> Prioritising other methods higher up the waste hierarchy above landfilling is considered important.	CW
<b>Graham Jenkins</b>  O & H Properties	U – J, E	<b>Landfilling of waste: Policy WCP12 and paragraph 4.29.</b>  The sentiment to reduce the reliance on landfilling is noted, and is consistent with national waste policy and the waste hierarchy. However the Core Strategy acknowledges there will be a need for landfill during the plan period to deal with: <ol style="list-style-type: none"> <li>(i) Waste which has been treated, and where further recovery is not possible;</li> <li>(ii) Waste residues from treatment facilities;</li> </ol>	AE

(iii) A proportion of treated waste imported from London.

In the context of this acknowledged need, it should not be a requirement for an Applicant to demonstrate a “need” for landfill to meet an identified need which cannot be met by management of waste higher up the waste hierarchy: it should simply be a requirement that waste to be accommodated at the landfill site comprises pre treated waste or waste residues rather than untreated waste. In view of the current absence of landfill capacity in the plan area, it is particularly important that barriers are not placed in the way of appropriate landfill developments being promoted and delivered.

It is also noted that Policy WCP12 makes reference to landfilling where there is a “need to re-profile an existing landfill site to address safety or pollution issues. There is no technical evidence to justify the reference to additional landfill via the re-profiling of an existing landfill site, and such an ‘afterthought’ has no place within a Core Strategy. In the event such a contingency arises, then it should be considered on its merits through the development control process.

Policy WCP12 is unsound on the basis that it is not justified (either in its overall objective or in the reference to re-profiling existing landfill sites), and it would not be effective if it placed obstacles to delivering the acknowledged need for landfill. The policy is unnecessary in the context of the landfill allocations set out in Policy WCP2. It should either be deleted or revised to read:

*“Planning permission for landfill at the sites identified in Policy WCP2 will only be granted for the landfilling of pre-treated waste for residues”.*

<p><b>Mrs Trustam</b> Marston Moreteyne Parish</p>	<p>Curren tly Unkno wn</p>	<p>The Parish Council have been asked to comment on the “soundness” of the Minerals and Waste Core Strategy.</p> <p>The Council were in agreement that despite the approval of Covanta’s application at Rookery Pit by the IPC, there is still a strong need to reinforce that local authorities should be responsible for their own waste and should not be expected to accept or allow the importation of waste from surrounding authorities.</p> <p>Local authorities should be encouraging and promoting recycling, thus reducing the amount of residual waste.</p>	<p>Currently unknown</p>
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Natural England (Ms Janet Nuttall)	S	<p>Where needed; landfill should be sited in industrial settings and not within the locality of villages. Infrastructure within a village setting is less able to cope with the large volume of vehicle movements than that of an industrialised area.</p> <p>Natural England welcomes Waste Core Policy WC <b>The term ‘aggregate sand and gravel’ is not incorrect although it is acknowledged that much of this material is used for concreting purposes.</b></p> <p><b>The term ‘aggregate sand and gravel’ is not incorrect although it is acknowledged that much of this material is used for concreting purposes.</b></p> <p>P5 which includes measures to mitigate and adapt to climate change and Waste Core Policy WCP12 which promotes moving waste management up the waste hierarchy.</p>	CW
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**Explanatory note**

While the Core Strategy promotes a substantial shift away from landfilling waste, and towards the use of recovery technologies, there will continue to be a need for the provision of landfill space for non-hazardous wastes, and increasingly the residues of recovery processes.

**Summary response**

1. *All waste should be subject to pre-treatment, regardless of whether it is to be subject to intensive recovery processes which will change its characteristics, prior to it being disposed of to landfill.*
2. *A high level of recovery prior to disposal to landfill is beneficial, since the residue will be smaller in volume, more inert, and less polluting in nature.*
3. *Consequently the greater degree that waste is pre-treated before it is sent for disposal to landfill then the less impact such an operation will have upon adjacent occupiers and the environment.*
4. *The selection of Strategic waste sites was not dependent upon their scoring. A number of land use planning*

*considerations were applied in the site selection process, and these are elaborated in Waste Technical Evidence Paper 5*

**Recommended change**

1. **Amend Waste Core Policy WCP 12 to read: ‘Planning permission will only granted for the landfilling of non-hazardous waste where it can be demonstrated that the provision of landfill capacity is required to meet an identified need which cannot be met by management of waste higher up the Waste Hierarchy.’**
2. **Add to the text of paragraph 4.34 a new sentence: ‘There may also be a need for further landfilling of existing landfill sites in order to address site safety issues or to reprofile them for pollution control.’**

## Waste Core Policy WCP13: Sewage Treatment Works

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Jennifer Dean Anglian Water	U - NP	<p>We would like to raise the issue of encroachment around Sewage Treatment Works and need to safeguard an appropriate buffer zone. We recommend the following working is incorporated within the Waste and Minerals Plan; "Incompatible development, such as residential, will not normally be granted within 400m of existing Sewage Treatment Works". This approach has been supported in Waste Plans for other areas.</p> <p>A 400m separation distance originally comes from the Town and Country Planning (General Permitted Development) Order 1995. Schedule 2, Part 6, of this Order deals with the permitted development rights for agricultural buildings and operations. It is reasonable to compare the potential for environmental impact caused by agricultural sludge with that of domestic sewage sludge. Since all sewage treatment works necessitate, to some extent, the storage of sewage sludge, Anglian Water therefore believes it is reasonable to seek to maintain a safeguarding area equivalent to a separation of 400m as proposed above.</p> <p>The Core of Practice on Odour Nuisance for Sewage Treatment Works, produced by Defra (2006), makes a clear link between planning and encroachment of development towards existing sewage treatment works. The document recognises at page 16 that "individual buffer zones can offer a</p>	CW

practical means of preventing the exacerbation of existing odour problems or the occurrence of new ones.” It goes on to state that:

“This Code considers that it would be good practice for Planning Authorities if they do not already do so to consult Environmental Health Authorities and Sewerage companies before development around sewage treatment works is permitted. Indeed, operators of sewage treatment works should be aware of proposed developments and have the opportunity to comment on any land allocations through the consultation process by which Local Development Documents are drawn up. In addition, operators of sewage treatment works can comment on any planning application proposals through the public consultation mechanism.”

We consider a safeguarding area (or encroachment zone) corresponding to 400m separation is justified and necessary. Sewage treatment works represent significant capital investments which, by their nature, are difficult and expensive to relocate. “Customers and water companies also need protecting from effectively financing the upgrade of local environment land sold “cheap” to developers, through charging higher customer water bills to fund the cessation or abatement of an ensuing statutory nuisance” (Code of Practice on Odour Nuisance from Sewage Treatment Works, Defra 2006). As such, a distance of 400m should be generally maintained to prevent incompatible development and associated loss of amenity unless it can be demonstrated that there will be no adverse effect on potential occupiers.

### **Explanatory note**

Existing waste facilities may be encroached upon by other uses. Suitable new sites for waste management use need to be protected from the potential for conflict with other nearby developments.

### **Summary response**

It is acknowledged that it is appropriate to safeguard existing waste water and sewage treatment works.

### **Recommended change**

- 1. Change title of Policy WCP 13 to read ‘Waste water treatment works’.**

**Waste Core Policy WCP 14: Clinical Waste**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
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<b>Neville Benn</b>	S	It is understood that there are no facilities for clinical waste disposal in the Plan area as the waste is disposed out of Plan Area.	CW
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Environment  
Agency

**Explanatory note**

Clinical waste facilities are specialist facilities for incinerating or pre-treating wastes from healthcare institutions.

**Summary response**

Clinical waste facilities do not occur within the Plan area.

**Recommended change**

No change.

**Waste Core Policy WCP15: Hazardous Waste**

Name	S or	Representation	PW or CW
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Organisation	U (J /E/ D)		or AE
<b>Neville Benn</b> Environment Agency	S	<b>WCP15</b> Monocells within non-hazardous landfill are limited to Stable non reactive hazardous waste such as asbestos. The vast majority of other hazardous wastes will require recycling recovery or disposal to a purpose built hazardous landfill. If hazardous landfill is contemplated it should be directed to a non-Aquifer location for pollution prevention reasons.	CW
<b>Graham Jenkins</b> O & H Properties	U - E	The principle of accommodating hazardous waste within discreet mono-cells within non hazardous landfill sites is supported. However, the text of the Plan contradicts this potential via paragraphs 3.3, 3.5 (2) and 4.8, all of which indicate that hazardous waste will continue to be managed outside the plan area.  The text should be revised to include references to the potential to manage hazardous waste within the plan area, consistent with Policy WCP15. This would ensure that the plan is effective and coherent in removing any uncertainty over this element of waste management.	AE
<b>Laura Burton</b> Northamptonshire County Council	U – E	Thank you for consulting the county council on the above. As a waste planning authority we have comments in relation to hazardous waste provision.  Northampton County Council is concerned that there is no policy setting out the criteria on which planning authorities in Bedfordshire would determine any proposal coming forward for a specific hazardous waste disposal landfill site. A policy stance of not permitting this type of development within the plan area is not sound, particularly with reference to their being no such specific standalone facility within the East of England region and the one in the adjacent East Midlands region at King's Cliffe only having a temporary permission to 2013.  In similar vein there is not policy setting out the criteria on which the planning authorities in Bedfordshire would determine any proposal for radioactive waste disposal and/or management.	CW

**Explanatory note**



Hazardous wastes are presently sent for disposal at specialist landfill sites outside of the Plan area, which are very rare in their occurrence.

### Summary response

1. *A new landfill site will need to be developed during the Plan period for the landfilling of non-hazardous wastes, and then receive permission for disposal of hazardous wastes in a discrete monocell. However, for the Planning Authority to grant permission for hazardous waste disposal they would need to be convinced that it would not compromise the ability of the landfill to primarily act as a landfill for non-hazardous wastes.*
2. *The quantity of very low level radioactive wastes that arise within the Plan area is not definitively known, but it is likely to be low, since it originates from a small number of uses in hospitals, dentists, and universities. In the absence of any landfill sites appropriate for hazardous waste, and the absence of a detailed national strategy for the management of these wastes, it is reasonable to make no specific site or policy provision for the management of these wastes.*
3. *The government's Strategy for the management of solid low level radioactive waste from the non-nuclear industry in the United Kingdom (published 12<sup>th</sup> March 2012) makes clear at paragraph 2.34 that: '...waste planning authorities are unlikely to need to make any special provision to cope with an increase in volumes of radioactive waste'.*

### Recommended change

1. **Add to the text at paragraph 4.37: 'Given the specific advice contained in the Government's Strategy for Low Level Non-Nuclear Waste (published March 2012) and the low level of arisings of low level nuclear wastes it is considered inappropriate to make any policy or site provision for these kinds of wastes.'**

### Waste Core Policy WCP16: Inert Waste

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
David Payne Mineral Products Association	U	We recommend that criterion #3 is amended to: 'within the area of, and for the duration of an existing planning permission for minerals extraction or minerals processing'	CW
Neville Benn	S	<b>WCP16</b>	CW

<p>Environment Agency <b>Graham Jenkins</b></p>	<p>S</p>	<p>Inert Landfill will require Environmental Permit and will require a natural geological barrier or liner.</p> <p>The supporting text in paragraph 4.33 notes that a substantial volume of construction and demolition waste can be recycled and used as secondary aggregate and soil forming material in development projects. However, certain components of construction and demolition waste are not suitable for such purposes and will continue to need to be disposed of as inert waste.</p>	<p>AE</p>
<p>Tarmac Ltd</p>		<p>Tarmac supports the principle of Policy WCP16 in acknowledging the role of inert waste in the reclamation of mineral working voids. However, the policy as drafted lacks clarity, and it appears to have some missing words in relation to the landfill element of the policy. It is thus suggested that the policy is sub-divided into two policies relating to (a) recycling of inert waste and (b) landfilling of inert waste. Within the landfill element, the text should be redrafted to read: <i>“proposals for the landfilling or other disposal to land of inert waste will not be permitted except where they would contribute to the reclamation of mineral working voids or give rise to an environmental benefit.”</i></p>	
<p><b>Spencer Warren</b></p>	<p>U not effective</p>	<p><b>Waste Core Policy WCP16: Inert Wastes</b> To ensure the deliverability of the Plan we recommend that the third bullet to Policy WCP16 is amended to include sites for minerals processing.</p>	<p>AE</p>
<p>Lafarge</p>	<p>(deliverable of flexible)</p>	<p>The final sentence of WCP16 appears to be missing some text. We believe it should read: <i>Proposals for the landfilling or other disposal to land of inert wastes will not be permitted except where they would contribute to the reclamation of former mineral working voids, or give rise to an environmental benefit.</i></p> <p>Paragraph 4.33 states that most inert wastes can be re-used, and give rise to soils or act as replacement for aggregates. This is not factually correct, whereby some inerts can be re-used/recycled for aggregate purposes or soils this is not most. The National and Regional Guidelines for aggregates provision in England, 2005-2020 (June 2009) shows that less than 26% of aggregates provision will come from Alternative Materials. The reality is that secondary/recycled aggregates cannot be of a guaranteed source or quality to replace primary aggregates. It should also be recognised within Paragraph 4.33 that there will always be a residual of inert wastes that cannot be recycled/reused and that these can be used in the restoration of mineral workings. For example Lafarge are restoring the mineral workings at Willington back to Best and Most Versatile Agricultural Land with the disposal of inert waste, which is primarily derived from bulk excavations associated with built development.</p>	
<p><b>David Walton</b></p>	<p>U – E</p>	<p>Waste Core Policy WCP 16 Inert Wastes</p>	<p>AE</p>

Sibelco UK	and D	We recommend that criterion #3 is amended to: 'within the area of, and for the duration of an existing planning permission for minerals extraction or minerals processing'; Unsound Reason: not effective (deliverable and flexible)	
<b>Neville Benn</b>	S	Inert Landfill will require Environmental Permit and will require a natural geological barrier or liner.	CW
Environment Agency Heath and Reach Parish Council (Ms Sara Gordon)	S	The Parish Council is aware that inert waste is still required to enable restoration of existing quarries in the parish (Waste Core Policy 16).	CW
Bellway Homes Ltd	U	The Policy is not justified as it is not the most appropriate strategy when considered against reasonable alternatives. The Policy currently states that planning permission will be granted in certain general areas, listed within the Policy. This is an oversimplification and this Policy fails to take into account a number of factors, outlined below. The Policy should be reworded to direct such activities to these general areas whilst requiring proposals to demonstrate that they would not adversely affect sensitive land uses in the area. Existing employment areas, and often sites with existing planning permission for waste related uses, are often no more appropriate for the recycling of inert waste than many other areas. They are often safeguarded for employment uses through development plan policies and in these instances they should continue to be safeguarded for B1, B2 and B8 use. Proposals for intensification or extension to recycling facilities may create no additional jobs whatsoever. In many cases for extension of these facilities or intensification of operations would be contrary to development plan policies. Sites that benefit from existing planning permission for waste related uses are often located in areas where the original character of the area has fundamentally changed since the original application was granted. Extensions to existing sites or intensification of activities will often not be appropriate. Residential development and other development of a sensitive nature may have occurred since the original application was approved; in these cases the character of the area may be predominantly residential and these are factors of material importance which must be taken into account by local planning authorities when determining applications. Applications should be accompanied by appropriate technical reports and assessments relating to transport, noise and potential adverse air emissions to demonstrate that there is no detrimental impact on residential	

amenity or concerns over safety. Particular consideration should be had to Annex E of PPS 10 which outlines the criteria by which the suitability of the location of proposed waste sites should be tested. It is understood that further detailed policies will be contained within the proposed General and Environmental Policies DPD, which the Council intend to adopt in 2015/16; however, regard must be had to the potential environmental impacts of facilities on nearby land uses within this Plan. The Policy should also contain a minimum distance to occupied properties of at least 250metres where proposals are put forward for the recycling of inert waste on sites outside of the strategic sites set out in WCP2, as has been done for Policy WCP9. The recycling of construction, demolition and excavation materials and the associated traffic movements to and from facilities create adverse environmental conditions on nearby sensitive land uses such a residential development. As well as requiring this minimum distance, planning conditions should be enforced for any approved planning applications concerning prevention of adverse environmental impacts on sensitive receptors. Conditions may include, for example, no burning of materials on site, the provision of sprinkler systems maintained to minimise dust emissions, a requirement for no odour to be evident at the site boundary and restrictions on hours of operations and hours of vehicle movements.

**Explanatory note**

The majority of wastes arising from construction and demolition activities are relatively non-polluting, and can be reused for a variety of uses.

**Summary response**

It is acknowledged that the policy as drafted is not precise.

**Recommended change**

**1. Amend the final sentence to read: 'Proposals for the landfilling or other disposal to land of inert wastes will not be permitted except where they would contribute to the reclamation of former mineral working voids, or give rise to an environmental benefit.'**

**Waste Core Policy WCP17: New Waste Management Facilities and Strategic Transport**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Sarah Gordon</b>  Heath and Reach Parish Council	S	Hold the view that CBC policy should oblige quarry owners and operators to work future quarries without having to transport large quantities of inert waste to be used as infill for restoration (Waste Core Policy 17).	CW
<b>Kirsten Berry</b>  ERM on Behalf of Covanta Energy	S	<b>Waste Core Policy WCP 17</b> refers to New Waste Management Facilities and Strategic Transport. It states <i>that 'new applications will only be granted where they are accompanied by legal agreements to ensure that waste traffic follows an agreed route to/from the Designated Road Freight Network'</i> . (our emphasis) Covanta agrees with much that is sought within policy WCP17, but considers that for the policy to always require legal agreements in relation to traffic is onerous; they will not always be relevant or necessary. This is reflected in the supplementary text, at paragraph 4.34, which identifies <b>that</b> is ' <i>desirable for safety and amenity reasons to control the routes taken by traffic to/from waste management facilities</i> ' (our emphasis).	AE

Further, this is a suitable policy in which to refer to rail, a topic currently absent.

		<p>It is submitted that Policy WCP17 is not unsound but can be improved to make it more effective and compliant with national policy.</p> <p><input type="checkbox"/> The proposed edits are to the policy text:          ... New applications will only be granted where they are may be required to be accompanied by legal agreements to ensure that waste traffic follows an agreed route to/from the Designated Road Freight Network. The use of rail transport should be considered.</p> <p><input type="checkbox"/> The proposed edits are to the supplementary text:          ... These controls, and the use of rail where feasible, will reduce the impact of waste management developments, and make them more acceptable.</p>	
Bellway Homes Ltd	S	<p>It will be important to ensure that all new waste management facilities have easy access to the strategic road network to reduce the distances waste must be transported, and therefore reducing greenhouse gas emissions. Legal agreements to ensure waste traffic follows agreed routes to/from the strategic road network are supported; these routes should not pass through or come within close proximity of residential areas, ensuring that occupiers are not subject to conditions that are likely to impact detrimentally on their quality of life and their safety. Where agreed routes are not currently in place, these should be agreed for applications for the extension and/or intensification of existing waste facilities.</p>	CW

**Explanatory note**

The opportunities for the transport of waste by rail are very limited, and likely to remain so throughout the Plan period (to 2028). In respect of road transport, two of the three Councils who will adopt the Core Strategy have their own Local Transport Plans, which includes a Freight Strategy.

**Summary response**

Policy WCP 17 addresses road traffic and transportation, and not rail. *Saved Policy GE22 would also be applied in the determination of applications.* There is no scope for increased reliance upon rail for transport of waste within the plan area, and to do so would be contrary to the aim of providing waste facilities predominantly for locally arising wastes.

**Recommended change**

- **Change 3<sup>rd</sup> sentence of Policy WCP 17 to read ‘Where appropriate new applications will ...’**
- **Change paragraph 4.39**
- **7<sup>th</sup> line to read: ‘Consequently it is necessary, for safety and amenity reasons...’**

**Mineral Core Policies- General**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
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<b>Neville Benn</b>	S	We support Mineral Core Policies. Please see our flood risk comments above in relation to minerals sites.	CW
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Environment  
Agency

**Explanatory note**

Updated information is expected from the Environment Agency on flood risk in respect to mineral sites. This has not been made available yet. However, it is not anticipated that this will not be a cause for concern as mineral sites can provide opportunities for providing flood alleviation to areas downstream.

**Summary response**

No change required.

**Recommended change**

**None**



**Paragraph 5.3 and Mineral Core Policy MCP1: Overall Spatial Strategy for Aggregate Sand and Gravels and Silica Sands**

Name Organisation	S or U  (J /E/ D) S	Representation	PW or CW or AE
Rio D'Souza  Highways Agency	S	<p>The Highways Agency's acceptance of the preferred strategic sites is dependent upon appropriate transport assessment being provided to accompany any future planning application which details, if demonstrated as being necessary, appropriate highway mitigation. The Highways Agency's assessment requirements are detailed in DfT Circular 02/2007 Planning and the Strategic Road Network, and the Highways Agency and the Planning Process- A Protocol for Dealing with Planning Applications.</p> <p><b>Land to the east of the Black Cat Roundabout (MD7)</b> Minerals Technical Evidence Paper 7 indicates that because planning permission was granted for the extraction of minerals from the main site and that this included improved access on the A1, "...<i>there are considered to be no overriding reasons why the extensions to this site should not come forward</i>" (paragraph 3.2, p6).</p> <p>Evidence need to be present to demonstrate that no further improvement to the junction and access is necessary in order to justify the assertion made in the evidence paper. The Highways Agency will require an assessment of the Black Cat Roundabout junction to accompany any future planning application if trip generation exceeds 30 two-way trips in any one hour (in compliance with the Highways Agency's protocol) and whether the permitted access would be sufficient to accommodate any increase in traffic that might arise through the extension of the permitted site.</p> <p>The Black Cat Roundabout can experience severe congestion at present and this remains a concern to the Highways Agency. Any increase in traffic which might arise from an extension of mineral workings</p>	

may intensify existing congestion problems. It is recognised however that extension of the existing permitted site may not necessarily result in an increase in traffic, thus the extensions could be worked after the existing permitted site resources have been exhausted.

**Blunham/Roxton (MD6)**

Minerals Technical Evidence paper 7 indicates that materials could be processed at the Black Cat site. This could potentially double movements per load and require HGV movements across the Black Cat Roundabout. The Highways Agency's concerns regarding the operation of the Black Cat Roundabout and the need for assessment if it is identified as being required, also applies to site MD6.

**Land at Clipstone Brook (MD50)**

I understand that access is likely to be via Vandyke Road/Mile Tree Road which connects with Eastern Way which in turn connects with the A5 at a priority T junction. If trip generation exceed 30 2-way trips in any one hour, the Highways Agency will require an assessment of the impact of additional site trip generation on the operation of the priority T- junction to accompany any future planning application. There are no known congestion issues which occur at this priority junction at present, however there may be safety implications regarding an increase in HGV movements entering/exiting the A5. This junction may also experience background traffic growth owing to proposed residential and employment development east of Leighton Buzzard.

**Tom Gilbert-  
Wooldridge**

U - J

English  
Heritage

We have concerns with a number of the sites listed in Policy MCP1 and feel that greater clarification should be provided by the Core Strategy in terms of the historic environment issues and how they should be addressed. This could be added to the development requirements section in the explanatory tables in Chapter 8. In terms of site specific comments, please see our representations for Chapter 8.

CW

Without this clarification, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

**David Payne**

U- E  
and F

Mineral

We support the identification of 'strategic' sites however this term ('strategic') requires definition, particularly as the plan does not follow the approach advocated in national policy (MPS1) of identifying

AE

Products Association		<p>specific sites, preferred areas and areas of search. Limiting sites to the 'strategic sites' identified does not provide sufficient flexibility should these sites not come forward as envisaged.</p> <p>While the proposed 'Sequential test' (paragraph 5.3) generally reflects the advice in MPS1 regarding considering the benefits of extensions over new sites, the practicalities need to be explained further, particularly the criteria against which extensions, satellite, or new sites will be considered and the circumstances under which they may be permitted as the 'sequential test' is applied.</p> <p>We recommend that the test should include the relative environmental impacts and benefits, deliverability (including feasibility and viability including quality and extent of resource), and existence of deliverable alternatives.</p>	
<b>Graham Jenkins</b>	S	<p>Unsound</p> <p>Reason: Not effective (deliverable and flexible) Not consistent with national policy (MPS1)</p> <p><b>Strategic Sites: Policy MCP1</b></p>	AE
Tarmac Ltd		<p>Tarmac supports the identification of "Land south of Broom Village" as one of the six identified strategic sites for the supply of sand and gravel.</p> <p>Tarmac also concurs with the comments set out in the Minerals Technical Evidence Paper 7: Delivery Issues, to the affect that the land represents a logical extension to the currently permitted area, and that there are no technical reasons why the site should not come forward for approval.</p> <p>Tarmac also note and accept the benefits of utilising the currently approved centrally located plant site to process sand and gravel from the identified strategic site, and the opportunities which are available along the northern boundary of the site for additional screening. Tarmac are thus confident that an environmentally acceptable scheme can be prepared which would make the sand and gravel available from the strategic site as a key component of the Core Strategy and Policy MCP1.</p>	
<b>Spencer Warren</b>	U - E	<p><b>Paragraph 5.3</b></p> <p>While the proposed 'Sequential test' generally reflects the advice in MPS1 regarding considering the benefits of extensions over new sites, the practicalities need to be explained further, particularly the</p>	AE

Lafarge		criteria against which extensions, satellite, or new site will be considered and the circumstances under which they may be permitted as 'the sequential test' is applied.	
		We recommend that the test should include the relative environmental impacts and benefits, deliverability (including feasibility and viability including quality and extent of resource), and existence of deliverable alternatives.	
		Unsound	
		Reason: not effective	
David Walton	U – E and	<b>Mineral Core Policy MCP 1 Overall Spatial Strategy for Aggregate Sand and Gravels and Silica Sands</b>	AE
Sibelco UK	NP	We support the identification of strategic sites however we object to the absence of the hierarchical approach advocated in national policy of specific sites, preferred areas and areas of search. While the proposed 'Sequential test' (paragraph 5.3) generally reflects the advice in MPS1 regarding considering the benefits of extensions over new sites, the practicalities need to be explained further, particularly the criteria against which extensions, satellite, or new sites will be considered and the circumstances under which they may be permitted as the 'sequential test' is applied. We recommend that the test should include the relative environmental impacts and benefits, deliverability (including feasibility and viability including quality and extent of resource), and existence of deliverable alternatives.	
		Unsound	
		Reason: Not effective (deliverable and flexible) Not consistent with national policy (MPS1)	

**Explanatory note**

Mineral sites put forward for consideration were assessed against a range of criteria including heritage assets. An 'on balance approach' would need to be taken as to which went forward as preferred sites as all sites would have some impact on the environment.

Where sites have been identified as extensions or satellites to existing sites a plan showing the manner and timescale for working these sites should be produced together with a plan setting out the long term restoration proposals and benefits associated with the extraction.

Sites identified to come forward on the basis of:

- need for the mineral,

- relative proximity to the processing plant, and
- how the site relates to the long term restoration proposals

Highway matters would be dealt with at the planning application stage and a transport assessment may be required. Where a site is an extension to an existing site it is likely that the traffic levels would remain at a similar level.

National minerals planning guidance MPS1 does not require the MPA to identify specific sites, preferred areas and Areas of Search. In this case specific sites have been identified as operators have come forward with a range of sites for consideration and with details of reserves. The identification of specific sites ensures that there is sufficient mineral available to meet national and sub-regional apportionment figures and also provides certainty for operators and for local communities. There is the ability for other sites not so identified to come forward through policy MCP3 if the benefit of doing so can be justified or there is an identified need. MPS1 seeks to provide certainty and not flexibility.

MPS1 also explains why there are benefits in taking forward extensions to existing sites or satellite sites before identifying new stand alone sites. It improves phasing or mineral; there are economic benefits in using the same plant and the same access can be used.

Sites will come forward as those sites supplying processing plants are worked and in accordance with development plan policies.

There are saved policies relating to the historic environment and heritage assets – GE14, GE15 and GE16.

### **Summary response**

The Core Strategy identifies a sufficient number of Strategic Mineral Sites with proven reserves to meet the identified requirement. It is therefore unnecessary to provide preferred area or areas of search which provide the industry and the public less certainty. This approach is in conformity with MPS1.

The sequential test – Favouring extensions of existing sites, rather than new sites offer a number of benefits, including offering a more phased release of reserves, only being worked when there is an appropriate need. In contrast new sites, operated by other companies may be worked so the operator can obtain a strong market position. The benefits of taking forward extensions to sites and satellite sites will be explained in MTEP7 together with an indication of the phasing of the sites identified as Strategic sites (including phasing plans provided by Lafarge as examples).

The saved policies are relevant to some of the concerns raised and will be listed in an appendix for clarity.

Matters such as detailed highway and access issues will be taken forward at the application stage and no further explanation is required in the Core Strategy.

A definition of 'Strategic Sites in the glossary is proposed.

**Recommended change**

**Paragraph 5.3 Line 4: Amend ‘above’ to ‘set out in policy MCP1’ and Line 7 from ‘sites are allocated according to the following sequential test’ to ‘sites have been allocated according to...’**

**Add a list of the Saved Policies to the Appendix.**

**Add a reference to the Saved Policies in the document in the supporting text following policies WCP3 and MCP7.**

**Add a definition of Strategic Mineral Sites (and Strategic Waste Management Sites) in the Glossary.**

**Paragraph 5.7 and Mineral Core Policy MCP2: The Provision of Aggregates**

Name Organisation	S or U	Representation	PW or CW or AE
David Payne  Mineral Products Association	(J /E/ D) U	<p>We recommend that the policy is amended to clearly set out the amount of sand and gravel that will be provided for throughout the Plan period, reflecting the figures in paragraphs 5.5 and 5.6, and provide a more positive framework for ensuring that supply is maintained. We support the provision reflecting the sub-regional apportionment figure of an average of 1.84mtpa (reflecting Policy M1 of the draft East of England Plan 2010 and apportionment for the ‘historic Bedfordshire County) but recommend that this is made explicit in Policy MCP 2.</p> <p>We recommend that the policy should be amended as follows:</p> <p>‘The Mineral Planning Authorities will make provision for the maintenance of supply of an average of 1.84 tap of sand and gravel over the Plan period, requiring additional reserves totalling at least 9.24mt. They will monitor the permitted reserves of aggregate minerals, and ensure that sufficient reserves are provided to maintain a landbank sufficient for at least seven years supply throughout the Plan period.’</p>	AE

		Unsound	
		Reason: Not effective (deliverable)	
<b>Graham Jenkins</b>	S	<b>Paragraphs 5.4 - 5.9, Policy MCP2, and Mineral Technical Evidence Paper 3</b>	AE
Tarmac Ltd		<p>Tarmac note the three alternative approaches to landbank calculations, and support the preferred approach of using the currently agreed apportionment figure of 1.84 million tonnes per annum throughout the plan period.</p> <p>It is noted that this results in a need to identify an additional 9.24 million tonnes and sand and gravel for release within the plan period to 2028.</p> <p>It is further noted from Technical Evidence Paper 3 that the six strategic sites may be capable of delivering between 8.8 and 10.4 million tonnes, given that several of the sites provide a range of reserves which may be available (but where Broom South has a confirmed reserve of 4 million tonnes). In that context, there is some confusion in the text of the Core Strategy which refers in paragraph 5.6 to the provision of 9.24 million tonnes, but in paragraph 5.9 to the need to supply an additional 10.07 million tonnes. The figure of 10.07 million tonnes is unclear, and is not referred to in Technical Evidence Paper 3. Assuming the figure of 9.24 million tonnes is correct, then it is suggested that paragraph 5.4 should be revised to confirm that the Core Strategy has <u>three</u> key aims, with an additional aim being:</p> <ul style="list-style-type: none"> <li>• <i>To make provision for the identification of some 9.24 million tonnes of sand and gravel resources for release during the plan period in order to ensure that an average of 1.84 million tonnes of sand and gravel per annum can be maintained.</i></li> </ul> <p>In order to provide further clarity, and to avoid the need for cross-references to detailed information set out in the Technical Evidence Papers, it would be helpful if the text could be revised to set out the full basis of the resource provision calculations.</p> <p>It should thus refer to the permitted reserves at the end of December 2010 of 22.88 million tonnes as a base position. It should then refer to the fact that the plan period will run for a 15 year period from 2013 – 2028. With an apportionment requirement of 1.84 million tonnes per annum this gives a total</p>	

requirement of 27.6 million tonnes. An additional allowance needs to be made for the 1.84 million tonnes per annum apportionment in the 3 year period between 2011 and 2013 of 5.52 million tonnes. This gives an overall requirement of 33.12 million tonnes. With permitted reserves of 22.86 million tonnes, this gives a residual requirement for 10.24 million tonnes. With the release of 1 million tonnes at Grovebury Road Quarry in October 2011, the updated residual requirement is for the release of 9.24 million tonnes within the plan period.

I would also be helpful if an additional paragraph could be added to confirm the resources available at the identified strategic sites, using information drawn from Technical Evidence Paper 3, i.e.

Site reference number	Site	Reserves (tonnes)
MD3	Willington Lock	830,000 – 1,180,000
MD6	Blunham/Roxton	2,950,000
MD7	Black Cat	700,000
MD8	Willow Hill Farm	130,000 – 630,000
MD19	Bridge Farm	250,000 – 950,000
MD15	Land south of Broom Village	4,000,000
<b>Totals</b>		<b>8.86 million – 10.4 million</b>

Finally, it is noted that policy MCP2 confirms the MPAs commitment to maintaining a landbank sufficient for at least 7 years throughout the plan period. Tarmac supports this commitment, but are aware of previous debates regarding a 'split land bank' where the landbank has historically been subdivided into concreting sand and gravel and soft building sand to reflect the different end uses of the aggregate (reference Technical Evidence Paper 3 Section 8). This was previously deemed to be appropriate by the former Bedfordshire County Council in order to avoid the overall landbank becoming distorted by reserves within one of the two categories. It is recognised that such a sub division is reliant on upon the minerals industry providing detailed information on end uses, and that such information is not always forthcoming from all operators. However, it is considered that the Core Strategy should maintain an objective to attempt to assess different patterns of supply and reserves and where, practicable, to take such considerations into account in considering the need to release additional reserves (Policy MCP2). It is suggested that this could be referred to as an additional sentence within paragraph 5.6.



<b>David Walton</b>	U - E	<p><b>Mineral Core Policy MCP 2 The Provision of Aggregates</b></p>	AE
Sibelco UK		<p>We recommend that the policy is amended to clearly set out the amount of sand and gravel that will be provided for throughout the Plan period, reflecting the figures in paragraphs 5.5 and 5.6, and provide a more positive framework for ensuring that supply is maintained. We support the provision reflecting the sub-regional apportionment figure of an average of 1.84mtpa (reflecting Policy M1 of the draft East of England Plan 2010 and apportionment for the 'historic Bedfordshire County) but recommend that this is made explicit in Policy MCP 2.</p> <p>We recommend that the policy should be amended as follows:</p> <p>The Mineral Planning Authorities will make provision for the maintenance of supply of an average of 1.84mtpa of sand and gravel over the Plan period. They will monitor the permitted reserves of aggregate minerals, and endeavour to maintain ensure that sufficient reserves are provided to maintain a landbank sufficient for at least seven years supply throughout the Plan period.</p> <p>Unsound</p> <p>Reason: Not effective (deliverable)</p>	
<b>Spencer Warren</b>	U – E J	<p><b>Mineral Core Policy MCP 2: The Provision of Aggregates</b></p> <p>We object to the inclusion of the word 'endeavour' within Policy MCP2. The requirement within MPS1 for Mineral Planning Authorities is to maintain a landbank of permitted reserves for at least seven years throughout the Plan period. We also seek clarification from the Mineral Planning Authority (MPA) on its intentions of maintaining a landbank of seven years at 2028. At paragraph 5.5 it is stated that the assessment of need has been taken up to 2028. If the MPA are to maintain a seven year landbank then it should be planning up to 2035. However, we appreciate that this is a long way into the future and at least one review of the Core Strategy and Site Allocations will have been undertaken so that the landbank by the end of the Plan period becomes less of an issue. A statement included within the Core Strategy to this effect would be helpful.</p>	AE
Lafarge			

<b>Spencer Warren</b>	S	<p>Unsound Reason: not effective or consistent with National Policy (MPS1) <b>Paragraph 5.7</b> Paragraph 5.7 recognises the need for the Plan to look beyond the current recession and this approach is sensible and supported.</p>	AE
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Lafarge

**Explanatory note**

The figure of 1.84MT per annum reflects the current sub-regional apportionment figure. This figure, and the landbank of reserves, will be reviewed at least once over the period of the Plan and it is likely that this figure will change – either upwards or downwards. If the figure is included in policy MCP2 and then it changes a change will have to be made to the policy. If it is kept general with the figures in the supporting text the same issues do not arise if the figure is changed.

Revised reserve figures have been provided for some of the sites. The figures in Minerals TEP3 will therefore, be reviewed. At the same time the figures provided for the volumes of sand and gravel required to be found over the Plan period can be checked and revised as necessary in the text.

In the Minerals Preferred Options a split landbank was preferred. There has been a focus on the provision of concreting sand and gravel as that is where the demand is. However, some building sand is also identified through the identification of Clipstone Brook for specialist silica sand as there is also building sand found on these sites. It has not been possible to continue with a policy for the identification of a split landbank due to the reluctance of the industry to provide detailed figures for each site on an ongoing basis so that it is not possible to make any reliable assessment. There is a more urgent need to identify concreting sand and gravel than silica sand – and the split landbank is recognised in this way as all the sites coming forward, apart from Clipstone Brook, are for concreting aggregates.

It is anticipated that there will be at least one review of the reserves over the Plan period. The current policy which ‘endeavours to maintain’ at least a 7 year landbank has been working and was acceptable to the Inspector for the MWLP. The policy is working.

**Summary response**

- It has been suggested that the apportionment figure should be included in the policy. However, as the apportionment figure may vary over the Plan period, the Plan is considered more flexible without the inclusion of the figure in the policy. The apportionment figure will remain in the supporting text for information.
- Anticipated reserves at each site will be updated in TEP3. Whilst these revisions may result in a small change in the landbank the same number of sites identified in MCP1 will be required. Any changes required to figures in the section ‘Provision of Aggregates’ will be made.
- It is not practical to include a split landbank as accurate figures are not supplied by the industry and it could not be monitored.

- However, all the aggregate sites identified have significant concreting sand and gravel reserves.
- The Plan be reviewed at least once over the Plan period, therefore it is not necessary to identify a landbank of 7 years for the end of the Plan period.
  - There is not considered to be any need to have a third aim setting out the amount of reserve to be found – this figure could change if the reserve at existing sites is found to be greater than currently anticipated.

**Recommended change**

**MCP2 - Amend ‘and endeavour’ to ‘so as to seek to maintain’**

It is proposed that a sentence be added to the 5.6 that there is likely to be a review of permitted reserves before the end of the Plan period. The following wording is proposed:

*‘It is anticipated that there will be at least one review during the Plan period to ensure that there are sufficient reserves of aggregate sand and gravel to maintain a landbank of at least 7 years for the whole of the Plan period and beyond’.*

Update MTEP3 figures and attach phasing plan supplied by Lafarge for sites east of Willington Quarry and include explanation of how sites identified will come forward in MTEP7.

**Mineral Core Policy 3 Secondary Aggregates**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
David Payne  Mineral Products Association	U – E and NP	This section should be headed “Provision of Secondary and Recycled Aggregates”. Similarly the Policy MCP should also be headed “Provision of Secondary and Recycled Aggregates”. It is not clear what giving ‘priority’ to secondary and recycled materials means in practice, particularly as Policy MCP2 sets out the amount of primary land-won aggregates that will be provided for over the plan period. This should not be used to limit or constrain production of land-won primary aggregates. We recommend that the policy is amended to ‘encourage the production and supply of recycled and secondary aggregates’.	AE

<b>Spencer Warren</b>	U - E	<p>This Policy should be supported by a definition in the glossary of Recycled and Secondary Aggregates.</p> <p>Unsound</p> <p>Reason: Not effective (deliverable) and not consistent with national policy (MPS1)</p> <p><b>Policy MCP 3: Secondary Aggregates</b> Bedford Borough, Central Bedfordshire and Luton Borough Council Minerals and Waste Core Strategy, Submission 4 February 2012</p>	AE
Lafarge		<p>The objective of the Policy is supported but it needs to be made clear that secondary aggregates cannot replace primary aggregates in all circumstances either volume or quality. The volume of secondary aggregate or quality cannot be secured. Paragraph 5.12 makes reference to an increasing amount of secondary and recycled aggregates in place of virgin materials, there is no specific reference to where this material will come from or whether it will be of an appropriate quality to replace primary aggregates.</p>	
<b>David Walton</b>	U – E and	<p>Unsound</p> <p>Reason: not effective (deliverable)</p> <p><b>Mineral Waste Core Policy MCP 3 Secondary Aggregates</b></p> <p>We believe this section should be headed “Provision of Secondary and Recycled Aggregates”.</p> <p>Similarly the Policy MCP should also be headed “Provision of Secondary and Recycled Aggregates”.</p> <p>While the policy is consistent with MPS1 it is not clear what giving ‘priority’ to secondary and recycled materials means in practice, particularly as Policy MCP2 sets out the amount of primary land-won aggregates that will be provided for over the plan period. This should not be used to limit or constrain production of land-won primary aggregates.</p> <p>We recommend that the policy is amended to ‘encourage the production and supply of recycled and secondary aggregates’.</p>	AE
Sibelco UK	NP	<p>This Policy should be supported by a definition in the glossary of Recycled and Secondary Aggregates respectively.</p> <p>Unsound</p> <p>Reason: Not effective (deliverable) and not consistent with national policy (MPS1)</p>	

**Explanatory note**

Paragraph 15 of MPS1 requires secondary aggregates to be considered before primary aggregates.

Secondary Aggregates defined in MPG6

The point made by Lafarge that secondary aggregates cannot replace primary aggregates in all circumstances is acknowledged.

**Summary response**

Secondary and Recycled aggregates to be defined in glossary

Acknowledgement to be made that secondary aggregates cannot replace primary aggregates in every instance.

Amend heading to 'secondary and recycled aggregates'

**Recommended change**

**Add to paragraph 5.11: *'Much of the aggregate and soils for recycling comes from the demolition of buildings and redevelopment projects. Facilities for recycling are, therefore likely to be located on larger sites for a limited duration or appropriately located to urban areas'*.**

**Add to paragraph 5.11: *'However, it is acknowledged that quality and quantity of such materials is variable and cannot replace primary aggregates in all circumstances.'***

**Add a definition of recycled aggregates to the Glossary**

**Mineral Core Policy 4 and Paragraph 5.13- 5.15**

<b>Name Organisation</b>	<b>S or U</b>	<b>Representation</b>	<b>PW or CW or AE</b>
<b>David Payne</b>	(J /E/ D) U – J,	The policy should be amended as it is unsound with National Policy, specifically MPS1 and MPG15 and also policy MCP1 in this Core Strategy.	AE
Mineral Products Association	NP and E	The policy should be consistent with MPG15 (as cited in paragraph 5.14 of the Plan) and seek to maintain an appropriate landbank of at least 10 years at individual sites (quarries), and at least 15 years in the case of significant new capital investment being required. The Minerals Technical Evidence Paper 4 (MTEP4) is misleading in this respect in that on page 7 it quotes landbanks which have been calculated by merging the silica sand reserves to give an overall landbank figure. This is not	

		<p>consistent with MPG15 and also the Bedfordshire Silica Sand Study undertaken in 2006/2007 which identifies the differing geology and uses of specialist silica sands. Landbanks should therefore only be calculated for individual sites (quarries).</p> <p>Unsound</p> <p>Reason: Not consistent with national policy (MPG15) Not justified, not effective</p>	
<b>David Payne</b>	U – J	<p>Paragraph 5.13 should be amended to remove reference to 'non-industrial' uses. 'This mineral is increasingly used for specialist and industrial uses, including water filtration media, as a growing media for sports pitches and for equestrian facilities'.</p> <p>The uses mentioned in the paragraph are specialist and industrial. This is why silica sand is often referred to as 'industrial sand'</p> <p>Unsound</p> <p>Reason: Not justified, evidence base incorrect</p>	AE
Mineral Products Association			
<b>David Walton</b>	U – J, E and NP	<p>The policy should be amended as it is unsound with National Policy, specifically MPS1 and MPG15 and also policy MCP1 in this Core Strategy.</p> <p>The policy should be consistent with MPG15 (as cited in paragraph 5.14 of the Plan) and seek to maintain an appropriate landbank of at least 10 years at individual sites (quarries), at least 15 years in the case of significant new capital investment, or substantially longer than this, for greenfield sites. The Minerals Technical Evidence Paper 4 (MTEP4) is misleading in this respect in that on page 7 it quotes landbanks which have been calculated by merging the silica sand reserves to give an overall landbank figure. This is not consistent with MPG15 and also the Bedfordshire Silica Sand Study undertaken in 2006/2007 which identifies the differing geology and uses of specialist silica sands. Landbanks should therefore only be calculated for individual sites (quarries).</p> <p>The inspectors report for the Bedfordshire and Luton Minerals and Waste Local Plan Review (2003) recommended that the suggested insertion into the Glossary of Terms for clarification that 'Production Site –individual extraction site at which there is a need to maintain a landbank of permitted reserves in accordance with mineral planning guidance. For silica sands sites this is at least 10 years to accord with policy MPG15'. This is still highly relevant in the case of this Core Strategy.</p> <p>Unsound</p> <p>Reason: Not consistent with national policy (MPG15) Not justified, not effective</p>	AE
Sibelco UK			
<b>David Walton</b>	U – J	<p>Paragraph 5.13</p> <p>We suggest amending paragraph 5.13 which currently reads, 'This mineral is increasingly used for specialist and non-industrial uses, including water filtration media, as a growing media for sports</p>	AE
Sibelco UK			

itches and for equestrian facilities’ to ‘, ‘This mineral is increasingly used for specialist and industrial uses, including water filtration media, as a growing media for sports pitches and for equestrian facilities’.

The uses mentioned in the paragraph are specialist and industrial uses not ‘non-industrial’ as is currently presented. This is why silica sand is often referred to as ‘industrial sand’

Unsound

Reason: Not justified, evidence base incorrect

**Sarah Gorton** S

Heath and Reach Parish Council

Land at Clipstone Brook (section 5.15) borders the parish boundary, and the Parish Council strongly supports CBC addressing archaeological, rights of way, land ownership, flood alleviation and other issues before extraction begins.

CW

The Parish Council, bearing in mind the long delays in quarry restoration that have occurred in Heath and Reach, welcomes Minerals Core Policy 6 (Rationalisation of reserves and restoration of old sites) and particularly that ‘powers exist to ensure that appropriate and modern planning controls can be attached to historic mineral planning permissions, including the scope to ensure that mineral workings sites are satisfactorily reclaimed’ (section 5.21).

**Explanatory note**

The national policy guidance (MPG15) is unclear in that it refers to quarries, sites and plant. It would only be possible to have landbanks for individual quarries if the industry agreed to consistently provide figures of reserves at these sites. Currently figures are aggregated and it is not possible to accurately assess the landbank at each site. It may, in any event, be more practicable to provide a landbank for the sites supplying each processing plant. This is supported by MPG15 which recognises the large capital investment associated with processing plants, rather than individual sites. It also needs to be acknowledged that it is not always possible to maintain a landbank by extending sites or even providing satellite sites.

Detailed site issues at Clipstone quarry will be addressed at the application stage.

Sibelco’s point of clarification to paragraph 5.13 is noted.

Support of policy MCP6 is noted.

**Summary response**

Due to data protection issues it is not currently possible to calculate landbanks for individual sites and a landbank cannot be identified for each site (quarry).

Small amendment to paragraph 5.13 to change ‘non-industrial’ to ‘industrial’

**Recommended change****Amend paragraph 5.14 to change 'non-industrial' to 'industrial'****Mineral Core Policy MCP 5 Mineral Extraction outside Allocated Sites**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Tom Gilbert - Wooldridge</b>	S	We understand the reasons behind restricting extraction proposals outside allocated sites in terms of limiting the negative impacts of minerals development to as few sites as possible. At the same time, we welcome the caveat that extraction will be permitted if an overriding need can be demonstrated in the context of building stone. Although the evidence and analysis supporting the Core Strategy demonstrates no need to allocate new sites for building stone extraction (with the existing chalk site in Totternhoe already consented), the provision of indigenous stone is important to the preservation and enhancement of the historic environment. Locally sourced stone is likely to be more suitable and sustainable for the repair and maintenance of historic structures and the construction of new builds in sensitive locations (e.g. conservation areas). The wording of Policy MCP5 should allow for the extraction of good quality building stone where it can be demonstrated that there would be benefits to the historic environment that outweigh any adverse impacts.	CW
English Heritage			
<b>David Payne</b>  Mineral Products Association	U – NP and F	There needs to be greater flexibility to enable alternative sites to be permitted in case of circumstance arising where allocated 'Strategic' sites do not /cannot come forward in the plan period. MPS1 advocates the approach of the plan specifying Specific Sites, Preferred Areas and Areas of Search. Adopting this approach allows flexibility in the plan. We therefore recommend that the exceptional circumstances described in paragraph 5.16 should also include where strategic sites have not come forward and/or monitoring indicates that additional reserves will be required that are unlikely to be delivered from the Strategic Sites in Policy MCP 1. Also and in the case for Silica Sand, it would be difficult to argue "exception" to this policy, in the absence of a specific silica sand policy requiring the maintenance of landbanks to accord with MPG15. The provision of the hierarchical approach of Specific Sites, Preferred Areas and Areas of Search would assist in this context. Unsound	AE



<b>Spencer Warren</b>	U - E (flexible)	<p>Reason: Not consistent with National Policy (MPS1) Not effective (flexible)</p> <p><b>Policy MCP 5: Mineral Extraction outside Allocated Sites</b></p> <p>We object to Policy MCP5 as it does not provide sufficient flexibility for sites or extensions to existing sites to come forward whose working may allow for environmental benefits. For example, Lafarge have promoted further extension areas at Sandy Heath as part of a longer term planning strategy to enable environmental improvements through the restoration of the site. This was highlighted to the Council within the vision document for Sandy Heath submitted by Lafarge in 2006. A formal Scoping Opinion was issued by Bedfordshire County Council in April 2006. The details are shown at Appendix 1. The development of a heathland restoration and management plan is a key part of the permitted operations at Sandy Heath Quarry, and an important biodiversity objective in association with mineral workings. The objective is being successfully delivered on the ground through a partnership with RSPB, which is establishing a sustainable and long term habitat on a landscape scale. There is a clear opportunity to broaden the mineral working area to increase the scale of the habitat creation scheme. The timescale for doing so is likely to be within the plan period. Although it is accepted that the Core Strategy will not be making allocations for specific areas for the further extraction and supply of soft/building sand, the circumstances at Sandy Heath Quarry are an example of where development of mineral reserves during the plan period are likely to be acceptable where they bring significant environmental benefits. The policy should recognise this and provide flexibility for such developments.</p> <p>Unsound</p>	AE
Lafarge			
<b>David Walton</b>	U – NP and E	<p>Reason: not effective (flexible)</p> <p><b>Mineral Core Policy MCP 5 Mineral Extraction outside Allocated Sites</b></p> <p>We object as MCP 5 does not conform to National Planning Policy which seeks a backup to specific sites in case of circumstance arising where they cannot come forward in the plan period. MPS1 advocates the approach of the plan specifying Specific Sites, Preferred Areas and Areas of Search. Adopting this hierarchical approach allows flexibility in the plan. We recommend that the exceptional circumstances described in paragraph 5.16 should also include where strategic sites have not come forward and/or monitoring indicates that additional reserves will be required that are unlikely to be delivered from the Strategic Sites in Policy MCP 1. Also and in the case for Silica Sand, it would be difficult to argue “exception” to this policy, in the absence of a specific silica sand policy requiring the maintenance of landbanks to accord with MPG15. The provision of the hierarchical approach of Specific Sites, Preferred Areas and Areas of Search would assist in this context.</p> <p>Unsound</p>	AE
Sibelco			

**Janet Nuttall** S Reason: Not consistent with National Policy (MPS1) Not effective (flexible) CW  
Natural England welcomes Paragraph 5.19 on Page 34 which states that it would be inappropriate to identify a further site for chalk production within the Chiltern Hills AONB.

Natural  
England

**Explanatory note**

Sufficient reserves have been identified to maintain the landbank over the Plan period. There is not, therefore, in terms of identification of reserves any overriding need to facilitate further sites coming forward. However, it is acknowledged that there are circumstances where this may be appropriate (including where Strategic sites are not coming forward to maintain the landbank or monitoring indicates that additional reserve is needed) bringing sites forward. This policy, as currently worded, does make provision for other sites to come forward provided that there is sufficient justification.

**Summary response**

Amend policy to increase the flexibility of the policy and to enable sites to come forward in a range of circumstances.

**Recommended change**

**Amend policy to add 'and/or benefit' after 'overriding need' to increase the flexibility of the policy and to enable sites to come forward in a range of circumstances.**

**Mineral Core Policy MCP6 Rationalisation of reserves and restoration of old sites**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
David Walton	S	We support in principle	PW
Sibelco UK Heath and Reach PC	S	The Parish Council, bearing in mind the long delays in quarry restoration that have occurred in Heath and Reach, welcomes Minerals Core Policy 6 (Rationalisation of reserves and restoration of old sites) and particularly that powers exist to ensure that appropriate and modern planning controls can be attached to historic mineral planning permissions, including the scope to ensure that mineral workings sites are satisfactorily reclaimed. (section 5.21).	CW
<b>No change required.</b>			

**Mineral Core Policy MCP8 Importation of materials for processing**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Rio D'Souza	S	<b>MCP 8 Importation of materials for processing (p.36)</b>	
Highways Agency		Paragraph 5.25 of the MWCS remarks, <i>...if a processing plant is intended to handle mineral from other working, this should be stated as part of the application, since there area highway implications of such activity.</i> Furthermore, paragraph 5.26 of the MWCS remarks <i>"The key issues to be considered in all such proposals are the environmental, amenity, and transport impact of intensifying the use or prolonging the lift of the plant, and implications for the restoration of the site."</i>	

		The Highways Agency supports this stance, as it potentially discourages double handling of materials and the import of aggregates from outside the plan area, potentially via the Highways Agency's road network.	
<b>David Payne</b>	U - F	We support the policy but recommend that an additional overriding criterion is added that: - It is the most environmentally and economically beneficial option	AE
Mineral Products Association		For example, it may be well located to continue to process materials and serve markets; located where the environmental impacts are not significant, and continued use would avoid the need for development of a new facility with associated costs.	
		Unsound Reason: not effective (flexible)	
<b>Spencer Warren</b>	U - E (flexible)	<b>Policy MCP 8: Importation of materials for processing</b> Policy MC8 and the supporting text do not provide flexibility to allow for the continuation of supply whilst sites are establishing. Each application should be assessed on its own merits. Lafarge's operations at Roxton-Willington have seen the delay in mineral extraction to allow Bedford Borough, Central Bedfordshire and Luton Borough Council Minerals and Waste Core Strategy, Submission 5 February 2012 for the restoration programme to be implemented. The use of reserves as satellite deposits can sometimes be helpful in delivering progressive working and restoration strategies for existing sites.	AE
Lafarge		The intention of Paragraph 5.25 to resist proposals for the retention of plant and machinery to process material won primarily from sites other than that at which they are processed does not conform with the purpose of Policy MCP8 and could lead to the sterilisation of mineral reserves.	
		Unsound Reason: not effective (flexible)	
<b>David Walton</b>	U - E	<b>Mineral Core Policy MCP8: Importation of materials for processing</b> We support the policy but recommend that an additional overriding criterion is added that: - It is the most environmentally and economically beneficial option	AE
Sibelco UK		For example, it may be well located to continue to process materials and serve markets;, located on a site where the environmental impacts are not significant, and continued use would avoid the need for development of a new facility with associated costs.	
		Unsound Reason: not effective (flexible)	

<b>Sibelco UK</b> <b>(Mr David Walton)</b>	U	Mineral Core Policy MCP8: Importation of materials for processing We support the policy but recommend that an additional overriding criterion is added that: - It is the most environmentally and economically beneficial option For example, it may be well located to continue to process materials and serve markets; located on a site where the environmental impacts are not significant, and continued use would avoid the need for development of a new facility with associated costs. Unsound Reason: not effective (flexible)	AE
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#### **Explanatory note**

The purpose of policy MCP8 is to ensure that sites are restored to a beneficial purpose within a reasonable timescale and that there are not ongoing operations which prevent the completion of this restoration. The continued use of plant can be one reason why a site is not completely restored. However there are instances where it may be of benefit to retain plant at one site as it may not be economic or acceptable in amenity terms to construct plant on another site especially if it is an extension to an existing site.

There are also instances where identified sites may act as satellite sites to the existing processing plant. This policy seeks to achieve a balance between timely restoration of land and the effective use of plant. It is not appropriate to maintain plant in isolation in rural areas in the long term. Each plant processing site will be assessed on its merits but on the basis of the policy of the Plan. This may include using plant at existing sites whilst new sites are established. For example the Blunham/Roxton site may initially be considered as a satellite site to Willington Quarry plant or that at Black Cat whilst it is being established.

#### **Summary response**

The proposed change to the policy is not accepted as it is not appropriate to maintain plant in rural areas in the long term.

#### **Recommended change**

**In order to address the concerns raised it is proposed that the last sentence of paragraph 5.26 be amended to: *'It is acknowledged that some strategic sites will either be extensions to existing sites or acting as satellite sites and that the mineral will be processed at a pre-existing plant at another site. This should be identified in the planning application as, unless the plant can be accessed by internal haul roads or using a conveyor, there will be highway implications to be considered'*.**

## Mineral Core Policy MCP9 Borrow Pits

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
David Payne Mineral Products Association	U – D and F	We support the policy but recommend it is clarified through definition of what ‘substantially’ means, possibly through use of ‘or’ and ‘and’ between criteria. Reason: To be effective (deliverable and flexible)	CW
Spencer Warren  Lafarge	U - E	<b>Policy MCP9: Borrow Pits</b> We object to the fifth and sixth bullet points of Policy MCP9. The fifth bullet point is not deliverable. The restoration of a borrow pit cannot always be undertaken within the same timescale of the project to which it relates. There will sometimes be a period while restoration is being undertaken once mineral extraction is completed. The sixth bullet point should be amended to allow the importation of materials, there are benefits in allowing ancillary developments such as concrete batching plants and coated roadstone plant relating to large infrastructure projects to be installed within borrow pits so that it may supply for a variety of construction materials. Paragraph 5.29 lacks clarity, from reading paragraph 5.29 we are uncertain what approach the MPA are taking to Borrow Pits? Unsound Reason: not effective (deliverable or flexible)	AE
David Walton Sibelco UK	U - E	<b>Mineral Core Policy MCP9: Borrow Pits</b> We support the policy but recommend it is clarified through definition of what ‘substantially’ means, possibly through use of ‘or’ and ‘and’ between criteria. Reason: To be effective (deliverable and flexible)	AE
Mr Darren	S	An example of community benefit would be the use of borrow pits to deliver stretches of the Bedford	WR

Woodward The Greensand Trust (Mr Jon Balaam)	S	Waterway. An additional bullet should be added so that decisions are also based on whether environmental benefits are created.	WR
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**Explanatory note**

It is considered that paragraph 5.30 is already flexible and does not require every criteria set out in policy MCP9 to be met.

Many processing plants and ancillary plant are permitted development. There may not, therefore, be an issue with processing plant at a borrow pit and it is not necessary to include it in the policy.

**Summary response**

The policy is already flexible in its wording and does not need to be amended except small change bullet points 5 and 6 to increase flexibility

**Recommended change**

**In bullet point 5 'same timescale' is amended to '*similar timescale*'**

**In bullet point 6 amend wording to add 'waste' following the words 'no importation'.**

## Mineral Core Policy MCP10 Climate Change

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Rio D'Souza Highways Agency	S	Policy MSP10 describes what measures development proposals should include to account for climate change. The policy is very similar to WCP5 however it omits the reference to the requirement for proposals to set out how they are resilient to climate change, including the potential need for sustainable transport measures including travel plans. The Highways Agency recommends that this requirement is also incorporated within policy MSP10. My comments provided in paragraph 23 above also apply.	CW
Janet Nuttall Natural England	S	Minerals Core Policy MCP10 is also supported since it includes measures to mitigate and adapt to climate change similar to those set out in Waste Core Policy WCP5.	CW
Neville Ben Environment Agency		<p><b><u>Flood Risk</u></b></p> <p>Whilst it is encouraging to note that – through policy references WCP5 and MCP10 – the use of appropriate Sustainable Drainage Systems (SuDS) is encouraged for post-restoration sites, it is considered remiss that there are no specific policies governing impacts of fluvial flood risk.</p> <p>The policies mentioned above will seek to ensure that impacts on flood risk from surface water runoff are not increased – and where possible betterment is provided. This is particularly important when considering proposals that entail post-restoration plans to alter the existing surface water runoff regime, for example by providing clay-capping or altering the land contours.</p> <p>However, it must be recognised that many mineral extraction sites and some proposed waste sites</p>	CW



(particularly in sites that were previously used for extraction) are situated very close to watercourses and within active flood plains. The River Basin Management Plans are mentioned briefly, but there do not appear to be any policy aspirations towards preventing increase in flood risk impacts from fluvial sources, or indeed providing betterment. An example would be the Covanta site at Stewartby former land fill site, where fluvial flood risk had to form part of the impact assessment for the Infrastructure Planning Commission (IPC) submission, as the proposals had a real impact on fluvial flood risk. Other examples may be sites proposed for extraction or restoration within the floodplain wherein ground levels and contours are proposed to be altered, perhaps creating displacement of floodwaters.

It is recommended that policy objectives are inserted or amended to take account of the impacts to and from fluvial flood risk, so that aspirations and objectives arising from this document may then be embedded at the strategic planning level.

<b>Spencer Warren</b>	U – E, J or NP	<p><b>Policy MCP10: Climate Change</b></p> <p>We do not believe that Policy MCP10 is deliverable. Further guidance is sought from the MPA on how mineral operators are to show that they take account of climate change for the lifetime of the development and where within national planning policy guidance is the requirement to demonstrate how climate change is being addressed. The monitoring of greenhouse gases is not justified. Paragraph 42 of PPS1: Planning and Climate Change is clear in what planning authorities should expect new development to achieve in terms of improving its environmental performance. These are simple, practical measures to improve the performance of development and minimise the potential for generating additional impacts that may contribute to climate change. At no point is there a requirement for specific monitoring. This is unreasonable and unwarranted. For mineral working, Bedford Borough, Central Bedfordshire and Luton Borough Council Minerals and Waste Core Strategy, Submission 6 February 2012 environmental and climate change improvements can be brought about by improving operational efficiency such as; direct soil placement, using appropriate transport systems and ensuring the operational plant is well maintained and performs as it is designed to. We recommend that Policy MCP10 is amended in light of our above comments.</p>	AE
Lafarge		<p>Unsound Reason: not effective, justified or consistent with National Policy (MPS1)</p>	
<b>Sarah Gorton</b>	S	<p>The Parish Council welcomes Minerals Core Policy 10 on climate change, particularly the requirement for quarry restoration schemes to show how they will contribute to biodiversity through creating habitats</p>	CW

Heath and  
Reach Parish  
Council

which act as wildlife corridors and living carbon sinks.

Heath & Reach Parish Council wishes that their comments are taken into account when finalising this document.

Jon Balaam      S  
The  
Greensand  
Trust

We particularly welcome the final bullet of this policy as it specifically recognises the value and importance of landscape scale habitat restoration/creation.

CW

### **Explanatory note**

The Climate Change policy as currently worded includes references to examples. It is felt that the policy would be better split so that the examples are in the text. The examples are likely to vary between the waste management policy and the minerals policy. Policy needs to be capable of monitoring.

The tools of identifying carbon footprint and ways of minimising the impact of operations are emerging through the work of some companies and will develop over time. The text can only provide examples of ways of reducing the effects of/being resilient to climate change.

Flood risk is already dealt with in saved policy GE19 and water resources are considered in policy GE20.

### **Summary response**

Flood risk concerns raised are considered in the Saved GE policies, to be listed in the appendix 7.

### **Recommended change**

**Retain first two sentences as policy and add 'The proposed measures and the means of monitoring shall be specified'**

**Delete points 1-6 and add similar wording as text below policy.**

## Mineral Core Policy MCP11 Strategic Transport and protection of existing railhead facilities

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>David Payne</b>  Mineral Products Association	S	We support the protection afforded to existing railheads and rail-served aggregates depots, and the positive approach to development of new facilities.	AE
<b>Spencer Warren</b>  Lafarge	U – E not deliver able or flexibl e	<p>We object to MCP11 because it lacks clarity. The second paragraph refers to existing railheads and this is supported but there should be additional text within the paragraph that safeguards onsite processing plant at railheads, which often operate at night and weekends. The final paragraph makes reference for the development of 'any new facilities,' the policy should be expanded to clarify what these new facilities may be. The Elstow rail head is one such example, where the on site coating plant has permission to operate 24/7. The safeguarding of the operating environment is vitally important. We wish to secure the future use of the Elstow rail head and include a plan (Appendix 2) identifying areas that we would wish to see safeguarded. By way of example the Elstow rail head is currently under threat by the proposed allocation of housing to the immediate south. A plan showing the allocation and a copy of the representations Lafarge has submitted to Bedford Borough Council are attached at Appendix 2.</p> <p>Paragraph 5.33 and Policy MCP11 advocate that HGVs are directed straight to the preferred road network, in accordance with the Freight Strategy. We believe that paragraph 5.33 should be amended to recognise the fact that there are cases where taking a haul route to the nearest point of joining the preferred road network will not always be feasible or appropriate. There will be occasions where there is alternative routing which has less of an impact upon the highway and local residents but may not be</p>	AE

in accordance with the Freight Strategy. As presently worded the Core Strategy does not provide enough flexibility, it needs to be clarified that the Freight Strategy approach is not always the most appropriate option.

Paragraph 5.34 should be amended to make clear reference to the importation of granite as well as limestone. Lafarge's Elstow Rail Head predominantly imports granite from Mountsorrel Quarry in Leicestershire.

<b>David Walton</b>	S	Minerals Core Policy MCP11: Strategic Transport and protection of existing railhead facilities Sound	AE
Sibelco UK		We support the protection afforded to existing railheads and rail-served aggregates depots, and the positive approach to development of new facilities	

### Explanatory note

The saved policies are relevant here. In particular policy GE24 relating to ancillary and waste developments. Also GE26 (buffer zones) and GE.22 and GE23 (transport)

The access to the primary road network will be considered as part of any planning application. It is not possible to consider every eventuality in the text and each proposal will be considered on its merits.

Policy MCP11 and para 5.33 requires traffic related to quarries to conform to the adopted Freight Strategy and/or policies and for traffic to be directed from sites to the preferred road network. Neither the policy nor the text indicates that vehicles must go 'straight' to the preferred road network and it notes that the potential detrimental impact on communities along their route has to be taken into account.

### Summary response

Asphalt plants have fewer location constraints than Aggregate railheads, therefore Aggregate railheads need greater policy protection. However, the National Planning policy Framework requires concrete batching plants and stone coating plants to be safeguarded. A new policy is, therefore, proposed which will safeguard such facilities from inappropriate development. This policy will be a new MCP4. No change required to policy MCP11 or to (former) paragraph 5.33.

### Recommended change

**No change to policy wording MCP11 or to paragraph 5.33.**

**New policy MCP4 to safeguard concrete batching plants, asphalt plants and stone coating facilities.**

**Amend paragraph 5.39 to ‘...such as limestone and granite that are not quarried locally...’**

### Paragraphs 5.35- 5.38 Minerals Safeguarding

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Dr Sharpe</b>  Pavenham Parish Council	U - J	<p>The Plan for Submission dated November 2011 has been considered at a meeting of my Parish Council.</p> <p>My Council considers that the Plan is <b><u>not sound</u></b> in respect of the designation of the Upper Ouse Valley between Radwell and Bromham as a Mineral Safeguarding Area. It is considered that the designation is <b><u>not justified</u></b> in that:</p> <ol style="list-style-type: none"> <li>1. The designation has been based upon the geological map for the area rather than upon knowledge of the actual reserves (if any) of mineral deposits. It is understood that no tests have been carried out in the majority of the area to determine the quantity of mineral deposits in the designated area and hence the designation, in the main, is not based upon known reserves of minerals.</li> <li>2. The map includes at least one area as a Mineral Safeguarding Area where the minerals have already been dug, namely at Lower Farm Road, Bromham.</li> </ol>	CW

The map of Mineral Safeguarding Areas is also faulty in so far as it does not include in its Key the definition of the colour used to depict the Safeguarding Areas of the Upper Ouse Valley on the map.

### Explanatory note

Mineral Safeguarding is the process whereby the presence of a mineral resource is taken into account in deciding whether proposed non-mineral development should be granted planning permission. The purpose is to safeguard mineral resources that are, or may come to be, of economic importance to ensure that they are not sterilised. To achieve this MSAs identify where economically valuable mineral resources may be present, and trigger a planning policy to achieve safeguarding.

In some areas there may be small areas which have been dug but it is not possible to differentiate these from the area as a whole which may be considered, on the basis of the geological maps to contain a potential economically viable mineral resource.

The safeguarding area in the Upper Ouse Valley is shown but it is an amalgam of two colours for Cornbrash Limestone and River Valley Sand and Gravel and appears to be a different colour not identified in the Plan.

#### **Summary of representation/s and recommended response**

1. The designation of MSAs is based upon the geological map for the area rather than upon knowledge of the actual reserves (if any) of mineral deposits.

*The method for defining MSAs is explained and justified in 'Minerals Evidence Base 2: Origins of the Mineral Safeguarding Areas and Policies', and is consistent with the approach recommended within the British Geological Survey (BGS) documents, 'A guide to mineral safeguarding in England' (BGS, 2007), and the more recent 'Mineral safeguarding in England: good practice advice' (BGS, 2011)*

No change to be made to the Plan

2. Lower Farm Road, Bromham, should be removed from the MSA since this land has already been worked.

*Every effort has been made to remove areas which are known to have been worked out, or proven to be barren or unsuitable for economic/environmental reasons where these areas were sufficiently extensive to make this exercise worthwhile. The methodology for defining MSAs is explained and justified in detail in Minerals Evidence Base 2.*

No change to be made to the plan

3. Consideration be given to altering the colours on the Safeguarding Plan to more clearly identify the mineral resources in the Upper Ouse Valley

#### Recommended change

**No change apart from amending paragraph 5.38 to refer to the Proposals Maps rather than the Appendices.**

**Consideration to be given to altering colours on the Safeguarding Plan to more clearly identify the mineral resources in the Upper Ouse Valley**

#### Minerals Core Policy 12 Mineral Resource Assessment and paragraph 5.38

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
David Walton	S	<u>Mineral Core Policy MCP12: Mineral Resource Assessment Sound</u>	AE
Sibelco UK David Payne	S	<u>We support the policy as a component of minerals safeguarding</u> We support the policy as a component of minerals safeguarding.	AE
Mineral Products Association Tom Gilbert- Wooldridge	S	We consider that the safeguarding of minerals can have positive implications for the historic environment in terms of identifying and protecting building and roofing stone that can be used for historic buildings. This follows advice in Annex 3 of Mineral Policy Statement 1, which recommends that mineral planning authorities safeguard important sources of building and roofing stone for	CW
English			



Heritage

conservation purposes.

In response to the government's 2004 Symonds Report "Planning for the Supply of Natural Building and Roofing Stone in England and Wales" (which considers the issue of how to identify appropriate sources of building stone), English Heritage commissioned the British Geological Survey (BGS) and local geological teams to produce the Strategic Stone Study (SSS). The study is gradually producing datasets and building stone atlases for each county in England which are being provided to mineral planning authorities and other relevant organisations (for more information on the study, see [www.bgs.ac.uk/mineralsuk/mines/stones/eh\\_project.html](http://www.bgs.ac.uk/mineralsuk/mines/stones/eh_project.html))

Bedfordshire is one of only 13 counties in England to have been completed in terms of the Strategic Stone Study. The Bedfordshire Building Stone Atlas (available via the above page of the BGS website) outlines the county's building stone types and where they are found, with examples of specific historic buildings and structures. The datasets are available as electronic maps from BGS (<http://maps.bgs.ac.uk/BuildingStone/default.aspx>).

The SSS datasets for Bedfordshire identify eight types of building stone found within the county, with 136 historic buildings/villages recorded. Perhaps of greatest significance (in terms of mineral safeguarding areas), the datasets reveal that there are 22 quarries within Bedfordshire that currently produce, or have the potential to produce, building stone for conservation purposes.

We welcome the identification of Mineral Safeguarding Areas (MSAs) in the Proposals Map and appendices for building stone resources, specifically limestone and chalk. Safeguarding all of the known limestone resource beneath the sand and gravel MSA seems a sensible approach. It should ensure that sites that might be potentially useful in the future for building stone extraction are safeguarded for the benefit of the local historic environment. Safeguarding the existing chalk quarry at Totternhoe with a 250m buffer zone is also sensible, although there may be potentially useful sites just outside of the buffer given the SSS datasets.

**David Payne** U - J

We support the policy however recommend an amendment to bullet point 1 to:

'The mineral concerned is proven to be of no economic value' - 'poor quality' mineral could still be economically important.

Mineral  
Products  
Association

Unsound

Not justified (credible evidence)

**Explanatory note**

The comments by David Payne refer to MCP13, and are dealt with there.

AE

It is acknowledged that poor quality material can be of economic value.

### Summary response

Amend text of MCP13 to refer to mineral being proven to be of no economic value

### Recommended change

Amend bullet 1 to 'The mineral concerned is proven to be of no economic value...'

#### Mineral Core Policy MCP13 Surface development within a Mineral Safeguarding Area

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
David Walton Sibelco UK	N - J	Minerals Core Policy MCP13: Surface development within a Mineral Safeguarding Area We support the policy however consider an amendment to bullet point 1. Bullet point 1 currently reads, 'The mineral concerned is proven to be poor quality via the undertaking of the Mineral Resources Assessment' we suggest this is amended to 'The mineral concerned is proven to be of no economic value' which is more emphatic than the current wording which could be conceived as an inappropriate determining factor. Poor quality mineral could still be justified as economically important. Unsound Not justified (credible evidence)	AE
Mineral Products Association	U	We support the policy however recommend an amendment to bullet point 1 to: The mineral concerned is proven to be of no economic value - 'poor quality' mineral could still be economically important.	AE

(Mr David                      Unsound Not justified (credible evidence)

Payne)

**Explanatory note**

Policy MCP13 sets out circumstances under which development may be acceptable in an MSA. Poor quality material can still have an economic value

**Summary of representations and recommended response**

'Poor quality' mineral may still have some economic value – first bullet point should be amended to reflect this.

Whilst the Mineral Resource Assessment undertaken in response to MCP12 will determine whether any mineral present has economic value, the current wording of policy MCP13 could be amended to make it more emphatic.

**Recommended change**

**Amend bullet one of MCP13 to read '...the mineral concerned is proven to be of no economic value'.**

## Chapter 6: Delivery and Monitoring

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Neville Benn  Environment Agency	S	<p><b>Delivery Strategy and Monitoring</b> We support the objectives that will assist in monitoring the delivery of the strategy.</p> <p><b>Risk and contingencies the delivering of the Waste Strategy</b> We support the position that the Plan Area should deal with the majority of waste arisings. However, waste operators may want to invest in economically and financial sound waste treatment facilities that may require them to import waste streams from outside the Plan Area. Consideration may need to be assessed to ensure that potential waste facilities are built that support good environmental outcomes.</p> <p><b>Table 12 - Monitoring of Waste Core Policies</b> We should be considered as part of the Implementation Party for these policies.</p>	CW
Kirsten Berry  ERM on Behalf of Covanta Energy	U	<p><b>Actions</b> listed under <b>Objective 3</b> seeks to provide non-hazardous landfill capacity based on the assumption that <i>'100% of waste will be pre-treated before either intensive residual treatment or landfilling.'</i></p> <p><b>It is submitted that the draft Core Strategy is unsound.</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> It is not consistent with the requirements of the Revised WFD or national waste documents, which do not set a target expectation for pre-treatment. Further it is not consistent with the Objectives or policy of the Core Strategy.</li> <li><input type="checkbox"/> It is not effective, in that it is not clear how it will be monitored and it may prevent otherwise appropriate waste management development.</li> <li><input type="checkbox"/> It is not justified – there is no clear evidence base to justify the position take in the document. Soundness may be achieved by removing this reference.</li> </ul> <p><b>Actions</b> listed under <b>Objective 4</b> states that <i>'the Core Strategy sets out a spatial distribution for the</i></p>	AE

*location of strategic and non-strategic waste management.'*

Such a spatial strategy is missing from the Core Strategy. Actions listed under Objective 8 seek to develop a network of waste facilities in 'close proximity to the source of arisings', which have suitable access and road networks.

**It is submitted that the draft Core Strategy is unsound.**

- It is not consistent with the Revised Waste Framework Directive, Waste Strategy for England 1007, the Government Review of Waste Policy in England 2011, or PPS 10.
- It is not justified – there is no clear evidence base to justify the action.
- It is not effective – the action may serve to prevent the effective delivery of sustainable waste management infrastructure Soundness may be achieved by removing this reference.

The Greensand Trust (Mr Jon Balaam)	S	Table 8 Objective 5. To protect and enhance the biodiversity and landscape fabric of the Plan area –	WR
		The process would be much improved if biodiversity and landscape considerations were taken into account in prior site selection. Conservation organisations or the Sandpit Strategy Steering Group should be included in the list of 'Parties'.	
Natural England (Ms Janet Nuttall)	S	Table 8 Objective 5. To protect and enhance the biodiversity and landscape fabric of the Plan area –	WR
		At the Preferred Options stage of the Waste Core Strategy, Natural England suggested that it would be useful to have a quantitative indicator to measure the success of achieving Strategic Objective 5 for Waste - to protect and enhance the biodiversity and landscape fabric of the plan area - for example, the area/quality of habitats lost compared to area/quality of habitat secured and managed. This objective is relevant to Waste Core Policies 4 and 6-17. It is disappointing that no quantitative indicator has been provided. Natural England recommends that this is addressed prior to submission.	

**Explanatory note**

The East of England Plan 2008 sought a higher degree of pre-treatment earlier for waste to be landfilled in the Marston Vale, since it was already beginning to be subject to applications for new housing development.

**Summary response**

1. The East of England Plan (Regional Spatial Strategy for the East of England) published in 2008 included Policies WM 5 which states: 'New landfill development in the Marston Vale should not compromise proposals for environmental regeneration and housing development, and should only be permitted where the waste to be landfilled has been subjected to comprehensive pre-treatment such that the maximum practicable value has been recovered. And provision is consistent with Bedfordshire's waste apportionment in Policies WM 3 and 4'.

2. A spatial strategy for waste is set out in paragraphs 4.5 to 4.16.

3. Objective 3- The revised Waste Framework directive does not state the LPA cannot set a target. By adding a target the waste hierarchy is supported.

**Recommended change**

1. **Add a section header before paragraph 4.5: 'Spatial Strategy for Waste'**
2. **A broad biodiversity indicator could be added on the basis of amount of land restored each year and the nature of restoration.**
3. **Delete the final sentence from paragraph 6.9.**
4. **Table 8, Objective 5 - add' wildlife and conservation organisations to list of parties**

**Chapter six: Delivery Strategy and Monitoring****General representations on chapter 6**

<b>Name Organisation</b>	<b>S or U (J /E/ D)</b>	<b>Representation</b>	<b>PW or CW or AE</b>
<b>Neville Benn</b>	S	We support the objectives that will assist in monitoring the delivery of the strategy.	CW
Environment Agency		We support the position that the Plan Area should deal with the majority of waste arisings. However, waste operators may want to invest in economically and financial sound waste treatment facilities that may require them to import waste streams from outside the Plan Area. Consideration may need to be assessed to ensure that potential waste facilities are built that support good environmental outcomes.	

**Table 12 Monitoring of Waste Core Policies**

We should be considered as part of the Implementation Party for these policies.

**Explanatory note****Summary response**

The Environment Agency has volunteered to be included as an implementation party.

Policy WCP6 Catchment Area restrictions require strategic facilities to be subject to conditions so as to restrict the origin of waste that they receive so as to ensure that any facility permitted will meet the needs of the Plan area. This does not mean that waste can not be imported, or indeed exported out of the Plan area to some degree. It is possible a facility may serve the Plan area and waste from outside the plan area, from an appropriate distance. This policy supports the siting of waste facilities that support good environmental outcomes.

**Recommended change**

**Add the Environment Agency as an implementation party in table 12.**

## Paragraphs 6.5- 6.7 The Covanta Energy development and Biogen Power

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
<b>Kirsten Berry</b>  ERM on Behalf of Covanta Energy	U	<p>It is not unreasonable for the draft Core Strategy to reflect upon Covanta's proposal at Rookery South Pit, not least as it does offer substantial waste recovery capacity (up to 670,000 tpa) in an area where there is currently very little. However the text at these paragraphs should be amended to more accurately present the project.</p> <p>Covanta intends to seek wastes arising within the Plan area to treat at the RRF – this has always been a clear objective for the Project. Covanta has never stated in its application documents that it will not, or does not intend to, manage wastes arising from within the Plan area.</p> <p>The Need Assessment submitted with the DCO application, and updated during its consideration, demonstrates the significant level of need for additional recovery capacity within and close to the Plan area. This position has been substantially agreed with planning colleagues of the officers drafting the Core Strategy, through preparation of the Statement of Common Ground submitted to the IPC and reflected at paragraph 5.14 of the IPC report (1).</p> <p>Reflecting on this significant and urgent need and relevant European and national policy, including the appropriate reliance on operational capacity, Covanta presented a clear case of why a catchment area restriction would be inappropriate. As described in more detail at Section 5.3, the IPC agreed with this approach.</p>	AE
<b>Nicky Upton</b>  Harlington Parish Council	S	<p>Despite all the plans for waste to be dealt with by the Covanta site there was no indication of how the issue of the additional lorries affecting the village would be dealt with.</p>	



**Explanatory note**

The Infrastructure Planning Commission determined that a Development Consent Order should be granted for the Covanta energy from waste development at Rookery Pit in October 2011. However Special Parliamentary Procedures are required before the Consent can be issued.

**Summary response**

The status of the Covanta energy from waste development will change over time, and the Core Strategy will need to be updated to reflect the most up to date information on it.

**Recommended change**

**Amend text before publication to reflect the circumstances of the Covanta Energy development at that time.**

**Paragraph 6.8 – 6.9 Sterilisation of Preferred site**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren	U – J	<b>6.8</b> Although it is only expressed as an example we have some concerns over the wording and impact that the Bedford Valley Park and rowing lake may have on the potential sterilisation of sand and gravel reserves. As written the text implies that the Rowing Lake is an overriding need so that development can take place in accordance with Policy MCP13 and prejudice the completion of the Preferred Areas. Such an approach has clear implications to the delivery of Strategic Sites. We do not believe that this is appropriate and the text should be reworded accordingly to give a clear priority to the delivery of the allocated sites. Unsound Reason: not justified	AE
Lafarge			
Spencer Warren	U – J	<b>Paragraph 6.9</b> We recommend the deletion of the final sentence within the paragraph as it provides an open charter	

Lafarge for developers to non compliance with Policy MCP13.  
 Unsound  
 Reason: not justified

**Explanatory note**

The Rowing Lake was included as an example of an existing quarry where there was other development proposed in the longer term.

**Summary response**

Delete example

**Recommended change**

**Paragraph 6.8: Delete example in last sentence.**

**Paragraph 6.9: Delete last sentence.**

**Paragraph 6.12 Implementation and Delivery of the Minerals Strategy (Sand and Gravel)**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren Lafarge	S	<b>Paragraph 6.12</b> Paragraph 6.12 provides a helpful summary and account of sand and gravel extraction within the Plan area and is supported.	AE

**Explanatory note**

Paragraph 6.12 provides general information on the distribution of sand and gravel deposits within the Plan area and explains the importance of river sands and gravels for serving growth areas.

**Summary response**

Amend paragraph 6.10 to include reference to other physical constraints that may be encountered on mineral sites

### Recommended change

**Paragraph 6.10** Add after ‘...a site uneconomic to work’ add ‘*Other physical constraints such as the presence of utility and infrastructure pipes and equipment and environmental constraints such as archaeology and habitats may also impact on the ability to extract the originally evaluated workable reserves.*’

### Paragraph 6.3 How will the Waste Objectives be achieved?

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Janet Nuttall Natural England	S	At the Preferred Options stage of the Waste Core Strategy, Natural England suggested that it would be useful to have a quantitative indicator to measure the success of achieving Strategic Objective 5 for Waste - to protect and enhance the biodiversity and landscape fabric of the plan area - for example, the area/quality of habitats lost compared to area/quality of habitat secured and managed. This objective is relevant to Waste Core Policies 4 and 6-17. It is disappointing that no quantitative indicator has been provided. Natural England recommends that this is addressed prior to submission.	AE

### Explanatory note

Waste objective 5: To protect and enhance the biodiversity and landscape fabric of the plan area highlights a number of ways the design and locations of waste management facilities can offer environmental enhancement. Page 43 of the Core Strategy identifies a number of methods in which the objectives can be achieved and the relevant implementation parties.

Natural England advocated the inclusion of a quantitative indicator to measure the degree to which biodiversity had been protected. Natural England suggested that the area/quality of habitats lost compared to the area/quality of habitat secured and managed should be monitored.

However, this is beyond the scope of what the WPA can achieve and would not necessarily reflect the success of the policy as the environmental assets of the Plan area can be improved or degraded for many other reasons other than the development of waste management facilities.

#### Summary response

Once the Minerals and Waste Core Strategy is adopted the Councils intend to develop a separate General and Environmental Policies DPD which, once adopted will replace the Saved General and Environmental Policies from the Minerals and Waste Local Plan. At that time it will be considered how best to develop policies which will provide adequate protection for biodiversity interests.

It is important the policies and objectives in the Minerals and Waste Core Strategy can be effectively monitored and that any actions identified should be able to be achieved. The tables covering pages 45-48 set out a number of indicators in which waste objective 5 will be implemented and monitored.

#### Recommended change

None

Table showing indicators and targets (pages 53- 55)

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren	U - E J	<b>Table showing Indicators and Targets</b> The target for MCP1 states that a seven year landbank for sand/gravel during 100% of the Plan period. The Strategy needs to explain what the intention is in respect of the maintained landbank at the end of the Plan period. The Strategy suggests at 2028 there is no landbank provision. Presumably relying upon a further review before 2028. The Plan needs to clarify this position.	AE
Lafarge			

#### Explanatory note

The Minerals and Waste Core Strategy will cover a 15 year period. The aggregate landbank will be monitored on an annual basis so that the

landbank does not fall below 13.51 million tonnes (7x 1.84mt). It is possible that towards the end of the Plan period additional sites may be needed to be permitted to ensure that the 7 year landbank is maintained.

In any event the level of aggregate provision may alter over the period of the Plan – either upwards or downwards and it was be inappropriate at this time to identify reserves beyond the end of the Plan period.

**Summary response**

To add a reference to the Plan that there is likely to be at least one review over the period of the Plan.

**Recommended change**

**A reference has been added to paragraph 5.5 that there is likely to be at least one review over the period of the Plan.**

**Paragraph 6.12**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren  Lafarge	S	<b>Paragraph 6.12</b> Paragraph 6.12 provides a helpful summary and account of sand and gravel extraction within the Plan area and is supported.	AE

**Explanatory note**

**Summary response**

Paragraph 6.12 provided a brief summary of the spatial distribution of sand and gravel quarries within the Plan area, and the important role they will serve in supplying mineral for the housing growth areas.

**Recommended change**

None

## Chapter 7: Glossary

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Kirsten Berry  ERM on Behalf of Covanta Energy		<p><b>Combined Heat and Power:</b> It is recognised as a <i>'power process that utilises heat in addition to generating electricity.'</i></p> <p>Energy from waste facilities that deliver CHP are recognised to be the most efficient forms of this technology. However, it should be recognised within the Glossary that additional heat production would displace electricity generation.</p> <p><b>Municipal Solid Wastes:</b> This definition of municipal solid wastes predates the updated definition provided by Defra in 2011. It should be revised to be consistent with the Revised WFD.</p> <p><b>Proximity Principle:</b> This definition of proximity principle is superseded by, and contrary to, Article 16 of the Revised Waste Framework Directive. It should be revised to be consistent with the Revised WFD.</p> <p><b>Waste Hierarchy:</b> This definition of proximity principle is superseded by, and contrary to, the Revised WFD, PPS 10, Waste Strategy for England 2007, the Government Review of Waste Policy in England 2011, and Chapter 4 of the Waste Core Strategy. Further it includes reference to Best Practicable Environmental Option, which has been explicitly superseded by PPS 10 and Waste Strategy for England 2007. It should be revised to be consistent with the Revised WFD.</p>	AE

**Explanatory note**

The definitions of some of the terms used have altered from one national or European document to another.

**Summary response**

1. The proximity principle advocates that waste should be disposed of (or otherwise managed) close to the point at which it is generated, thus aiming to achieve responsible self-sufficiency.
2. The Waste Hierarchy as expressed in the Waste Framework differs very slightly from that set out in the Minerals and Waste Core Strategy.

**Recommended change**

**Amend the definition of the Waste Hierarchy at page 63 in the Glossary, to reflect the wording of Article 4 of Directive 2008/98/EC.**

**Chapter 8: Maps of Strategic Sites and explanatory tables**

<b>Name Organisation</b>	<b>S or U  (J /E/ D)</b>	<b>Representation</b>	<b>PW or CW or AE</b>
<b>Tom Gilbert- Wooldridge</b>  English Heritage	U – E and D	<p><b>Elstow Table</b></p> <p>The impact on the surrounding historic environment will depend on the specific development schemes proposed for Elstow. There is a scheduled moat at Kempston Hardwick to the west, a scheduled manor house, conservation area and a number of listed buildings at Elstow to the north and the monumental Grade II* listed former airship sheds to east (known as No.1 and No. 2 Cardington Sheds). We would recommend that additional development requirements are added in to the table in Chapter 8 stating that any future proposals should preserve the significance and setting of nearby heritage assets. Without this clarification, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).</p>	CW
	U -	<p><b>Rookery Pit South Table</b></p> <p>We have concerns regarding the future use of Rookery Pit South and any proposal needs to carefully consider the impact on the surrounding historic environment, demonstrating that the impact can be adequately mitigated. The site is located in a significant historic landscape close to a number of designated heritage assets, which are not picked up in full by the explanatory tables in Chapter 8. This includes Stewartby Conservation Area to the north and the Grade II listed chimneys and brick kilns at the former brickworks, as well as the Grade II registered park and garden of Ampthill Park to the south, with the scheduled remains of Ampthill Castle and the Grade II* listed Ampthill Park House. To the south-east is the scheduled and Grade I listed remains of Houghton House, which is in the</p>	

guardianship of English Heritage and open to the public. The Grade II listed South Pilling Farm is located within 100 metres of the site, with the Grade II listed Millbrook railway station a few hundred metres further west.

The use of Rookery Pit South for waste recovery and/or the landfilling of non-hazardous waste will require careful design and adequate mitigation to avoid harming the surrounding historic environment. The cumulative impact of a number of waste management uses within this site would need to be carefully assessed. We would recommend that additional development requirements are added in to the table in Chapter 8 stating that any future proposals should preserve the significance and setting of nearby heritage assets. Without this clarification, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

**Thorn Turn table**

We have some concerns regarding the impact of this site on the historic environment (as stated in our previous letters dated 9 March 2007, 29 November 2007 and 12 July 2010), including the scheduled Thorn Spring Moated Site to the north-east.

We would recommend that additional development requirements are added in to the table Chapter 8 stating that any future proposals should preserve the significance and setting of nearby heritage assets, particularly Thorn Spring Scheduled Monument. Without this clarification, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

**Black Cat table**

We have concerns regarding the impact of this large site on the historic environment. The site is located within a sensitive historic landscape along the River Ouse at its confluence with the River Ivel and the archaeological significance of this area is likely to be high. We note the comments made by the then County Archaeologist in 2006/2007 that the central part of the site should not be identified for extraction due to the concentration of cropmarks indicating later prehistoric and Roman settlement, and that the site as a whole requires archaeological evaluation.

In addition to archaeological issues, we are also concerned about the potential impact on the significance and setting of a number of designated heritage assets. Within an approximate 2km radius of the site's centre, there are six conservation areas (Roxton, Tempsford Church End, Tempsford Langford End, Great Barford, Great Barford Hill and Blunham), circa 75 listed buildings (including four Grade II\* listed churches in Roxton, Great Barford and Tempsford Church End and one Grade I listed



church in Blunham) and four scheduled monuments (Tempsford Bridge to the north, Gannock's Castle to the east, Blunham Bridge to the south-east and Barford Bridge to the south-west). This is a relatively high concentration of assets and the extraction of minerals (including their transportation, the routes of which have yet to be decided) could cause substantial harm to the historic environment. Furthermore, the cumulative impact of mineral extraction sites to the north (Black Cat) and south-west (Willington Lock etc) could exacerbate the overall harm. The Sustainability Appraisal (Table 8.3) identifies the issue of cumulative impact for sites to the East of Bedford along the River Ouse. It advises that the heritage impact needs to be investigated before development goes ahead.

Further assessment is needed to justify the allocation of the Blunham / Roxton site. Due to archaeological concerns, part of the site may not be suitable for extraction, while due to setting concerns, other parts may also not be suitable. If it is considered that the site (or part of it) should be allocated in the Core Strategy, then the development requirements in Chapter 8 should address the above historic environment issues. This would include archaeological evaluation and an assessment of the impact on the significance and setting of nearby designated heritage assets. At present, we consider that the site and Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence and the most appropriate strategy when considered against reasonable alternatives), effective (deliverable against national policy barriers in the form of heritage assets) or consistent with national policy (specifically Planning Policy Statement 5).

#### **Bridge Farm, Willington Lock and Willowhill Farm table**

##### **• Willington Lock**

This site is located within a sensitive historic landscape along the valley of the River Ouse, with the potential for deposits of high archaeological significance. There are a number of scheduled monuments to the west along the river valley, many of which are associated with Neolithic and Bronze Age barrow and mortuary sites. The development requirements for this site should include reference to the need for archaeological evaluation and the need to preserve the significance and setting of nearby designated heritage assets.

Without such reference, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

The cumulative impact of developing this site in conjunction with the other proposed site allocations along the River Ouse (Bridge Farm, Willowhill Farm, Blunham/Roxton and Black Cat) is an important consideration and we remain to be convinced that there will not be substantial harm to the historic

environment.

- Willowhall Farm

This site is located within a sensitive historic landscape along the valley of the River Ouse, with the potential for deposits of high archaeological significance. There are a number of listed buildings to the west in Willington, plus a cluster of Grade II listed buildings at Willowhill Farm. The development requirements for this site should include reference to the need for archaeological evaluation and the need to preserve the significance and setting of nearby designated heritage assets.

Without such reference, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

The cumulative impact of developing this site in conjunction with the other proposed site allocations along the River Ouse (Bridge Farm, Willington Lock, Blunham/Roxton and Black Cat) is an important consideration and we remain to be convinced that there will not be substantial harm to the historic environment.

- Bridge Farm

This site is located within a sensitive historic landscape along the valley of the River Ouse, with the potential for deposits of high archaeological significance. There are a number of scheduled monuments to the west along the river valley, many of which are associated with Neolithic and Bronze Age barrow and mortuary sites. The site borders Great Barford Conservation Area to the east, which contains a number of listed buildings including the Grade II\* All Saints' Church, as well as the scheduled monument of Barford Bridge. Based on the archaeological potential and the proximity of designated heritage assets, parts of this site may not be suitable for allocation and extraction. Further assessment is needed to justify the allocation of the site.

If it is considered that the site (or part of it) should be allocated in the Core Strategy, then the development requirements in Chapter 8 should address the above historic environment issues. This would include archaeological evaluation and an assessment of the impact on the significance and setting of nearby designated heritage assets. At present, we consider that the site and Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence and the most appropriate strategy when considered against reasonable alternatives), effective (deliverable against national policy barriers in the form of heritage assets) or consistent with national policy (specifically Planning Policy Statement 5).

The cumulative impact of developing this site in conjunction with the other proposed site allocations

<b>Spencer Warren</b>	U – E or J	<p>along the River Ouse (Willowhill Farm, Willington Lock, Blunham/Roxton and Black Cat) is an important consideration and we remain to be convinced that there will not be substantial harm to the historic environment.</p> <p><b>Land to the North and South of Black Cat</b></p> <p>We can confirm that the Operator for the site is Lafarge Aggregates Ltd. The reserve shown within the Table on page 77 is incorrect. The available reserve is 670,000 to 770,000 tonnes of sand and gravel. Access to the site will continue to be from the Black Cat roundabout as per the recent planning permission.</p>	AE
Lafarge		<p><b>Blunham and Roxton</b></p> <p>The reserve shown on the Table on page 80 is incorrect. The available reserve is 2.95 to 3.55 million tonnes of sand and gravel. The Table at page 81 states that the land is of Grade 1 BMV agricultural land, Lafarge had the agricultural quality of the site assessed and the classification is a mix of 3A and 3B. The plan identifying the ALC for the site is attached to this report at Appendix 3. We also request that an additional area of land is included that can link the sites. This area of land was included within the original submission from Lafarge in 2005 and was shown on Plans prepared by Bedfordshire County Council in 2006, ref Diagram No MD6 (see Appendix 4). A copy of the submission made in 2005 is attached to this report at Appendix 4.</p> <p>We wish to clarify an amendment to the boundary of the allocation area for part of the Roxton land, which needs to be adjusted to reflect the extent of LAL's controlled land. I attach an updated plan at Appendix 5, the area hatched should be deleted from the site allocation but all the area outlined in red included.</p> <p>The Strategy could provide clearer justification from the Council for the inclusion of the site and how they believe the objections raised to its inclusion are surmountable.</p> <p>Unsound Reason: not justified (robust and credible evidence base)</p>	
		<p><b>Bridge Farm/Willington Lock/ Willowhill Farm</b></p> <p>We would question the reference to Agricultural Land Classification for the three sites being of Grade 1 quality. The mineral extraction areas at Willington Quarry, including the current working area at Dairy Farm, have been predominantly grade 3A/3B with some grade 2 and 4. An ALC survey was carried out for Lafarge on part of the Willington Lock area, which showed the grade to be mostly 3A/3B. See</p>	

Appendix 6.

We are disappointed that there is not clearer cross referencing to the detailed submission of information that has been prepared and submitted by Lafarge in support of these sites, including the original Ouse Valley Restoration Strategy. These submissions, including an updated Ouse Valley Restoration Strategy, can be found at Appendix 7.

We have also promoted an area of land to the north of Willington Lock, north of the river to link the sites for haulage/transport of mineral. We recommend that Inset Map 7 is amended to identify the proposed location of the internal haul road.

Unsound

Reason: not justified (lacking a robust or credible evidence base)

**Broom South Table**

We note that around half of the original MD15 site now has planning permission for mineral extraction. Archaeological issues were raised back at the Issues and Options consultation in 2006. The development requirements section in Chapter 8 should include a need for proper archaeological evaluation to be required for any mineral extraction proposals within the site, with certain parts of the site potentially unsuitable for extraction due to archaeological impacts. Consideration should also be given to the impact on the setting of surrounding heritage assets, in particular the scheduled Holme Mill Iron Bridge, where transport access to the site should be strictly controlled.

Without such reference, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

**Clipstone Brook Table**

As stated in our letter dated 7 February 2008, we have concerns regarding the allocation and development of this site. Although the site area has been reduced since the 2008 consultation (on its east, north-east and south-east sides), there is still the potential for harm to be caused to the setting of a number of designated heritage assets. This assets potentially affected include the conservation area at Hockliffe to the east, which contains a number of listed buildings (including the Grade II\* listed Church of St Nicholas) and the scheduled moated site and earthworks of Church Farm. There is a cluster of listed buildings at Clipstone immediately to the south, while to the north lies the Grade II registered park and garden of Battlesden.

The site also has archaeological potential, which is only partially acknowledged in the development requirements section of the table in Chapter 8. The requirements should include the need for archaeologist evaluation and an assessment of the impacts on the significance and setting of nearby designated heritage assets. It may transpire that parts of the site can not be developed in order to avoid harming the historic environment.

Without clarification of the heritage issues that need to be addressed, the Core Strategy is unsound in terms of not being justified (founded on robust and credible evidence) or effective (deliverable against national policy barriers in the form of heritage assets).

### **Explanatory note**

The tables set out the information on the sites as was known at the time. This information will be reviewed and updated where necessary. It is not possible to avoid all areas where there are designated sites as mineral can only be dug where it occurs.

The accompanying Plan of the Strategic site will also be reviewed. It is likely that they will be simplified and show only the site. More detailed information will be available in an evidence base.

### **Summary response**

#### Black Cat

The majority of the Black Cat site put forward at the Issues and Options stage has now been permitted. If it is found that there are areas of archaeological significance the site would be subject to an archaeological assessment once an application has been submitted.

#### Bridge Farm, Willington Lock and Willowhill Farm

Sand and gravel, as with all mineral can only be worked where they occur. By their nature they are often located along the lines of river basins, where early settlements were often located (because of their fertile nature). It is therefore quite common to find areas of archaeological interest to be found near potential mineral sites. Mineral operators are accustomed to conducting archaeological work as part of planning conditions.

#### Thorn Turn

The Thorn Spring moated site is included on the explanatory table.

It is likely that future waste development will preserve the significant settings of nearby heritage assets through Waste objective 7: *To protect and enhance the cultural, social and environmental heritage of the Plan area* and the corresponding policies identified on pages 45 – 48.

### **Recommended change**

- **Proposals map to include minimal information in addition to the site boundaries.**
- **A separate Evidence Base document to be created containing maps to illustration the planning constraints at each site.**
- **Issues raised during previous consultations to be deleted from the explanatory tables to be consistent with the waste tables.**
- **Plans to show the likely phasing of sites in Lafarge control to be added to the Technical Evidence Paper.**
- **Add text stating that the maps containing in chapter nine are the proposal map.**

**All Scheduled monuments are shown in dark brown on the maps in the Evidence base. The moated site, the listed buildings near Elstow are referenced on the table. The listed airship sheds will be added to the table.**

**It is likely that future waste development will preserve the significant settings of nearby heritage assets through Waste objective 7: *To protect and enhance the cultural, social and environmental heritage of the Plan area* and the corresponding policies identified on pages 45 – 48.**

- **Further explanation may be needed.**
- **Conservation areas and scheduled landmarks to be added to the proposals maps and tables.**
- **Waste policies WCP4 The Design and Layout of New Waste Management Facilities will ensure that should an applicant wish to develop the site its design will be carefully considered.**
- **Change- include the suggested text.**

#### **Black Cat**

**Delete unnecessary text on row 5 of table.**

**Amend reserves figures. Amend map.**

**Add and update information on explanatory table**

#### **Blunham, Roxton**

**Amend reserve figure.**

**To be treated as a satellite site to serve the Willington or Black Cat processing plants, though with the capability to constructing a separate processing plant, if required.**

**Update information on explanatory table**

#### **Broom South**

**Add additional information on the site's archaeological interest to explanatory table.**

**Rookery Pit**

**Add suggested designations to plan (evidence base) and table.**

**Clipstone Brook**

**Add additional information provided to explanatory table**

**MSA Maps**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Nicky Upton  Harlington Parish Council		<p>12) Deposits of Glacial Gravel are shown on the geological map of the area to the west of Toddington and to the west of Harlington.</p> <p>13) Harlington is identified on the maps in the Strategy with a red dot showing it to be a source of Quaternary Sand and Gravel of the type ideal for concrete. There is a shortage of Quaternary (sharp) sand in Bedfordshire to the extent that substitution with builders sand (smooth) is discussed as a way of counteracting this deficit.</p> <p>14) VERY CURIOUSLY, whilst Harlington is (like other key mineral sites) identified on the maps, there is no discussion or mention in any of the texts. This is a major omission given its identity on the maps. I am therefore suspicious.</p> <p>15) I do not know what reserves, if any, exist at Maskells Quarry (Harlington) or those to the west of Toddington, or the extent and direction of the sand and gravel seam. Both appear to be outside of the Chilterns AONB. However, given the proximity to Luton and the shortage of this important mineral</p>	CW

within the County, if reserves still remain, there could be pressure to resume extraction. It would be useful to know the status of these quarries, including their archaeological protection if any, against further excavation.

**Dr Sharpe**  
Pavenham  
Parish Council

U - J

16) The swath of land from west of Toddington through Harlington to Westoning is a “Green Infrastructure Priority Area”, and there are even larger documents describing what they are. I do not know what this special status confers upon us as I have not had time to read further.

Re Minerals & Waste Core Strategy – Consultation on Soundness

The Plan for Submission dated November 2011 has been considered at a meeting of my Parish Council.

My Council considers that the Plan is not sound in respect of the designation of the Upper Ouse Valley between Radwell and Bromham as a Mineral Safeguarding Area. It is considered that the designation is not justified in that:

1. The designation has been based upon the geological map for the area rather than upon knowledge of the actual reserves (if any) of mineral deposits. It is understood that no tests have been carried out in the majority of the area to determine the quantity of mineral deposits in the designated area and hence the designation, in the main, is not based upon known reserves of minerals.

2. The map includes at least one area as a Mineral Safeguarding Area where the minerals have already been dug, namely at Lower Farm Road, Bromham.

The map of Mineral Safeguarding Areas is also faulty in so far as it does not include in its Key the definition of the colour used to depict the Safeguarding Areas of the Upper Ouse Valley on the map.

CW

### Explanatory note

The site near Harlington shown as a red dot in the 2005 Bedfordshire Aggregates Landbank Study, produced by Cuesta Consulting Ltd is now in aftercare.

### Summary response

- Harlington and the surrounding area has not been identified as a strategic mineral or waste site, neither has it been identified as a Mineral Safeguarding Area. It was therefore felt unnecessary to specifically mention Harlington in the Minerals and Waste Core Strategy Plan for submission.
- There is no conflict with the Minerals and Waste Core Strategy Plan for Submission and the Green Infrastructure Priority area.
- Following further investigation (including a reviewing of the planning history of these areas, and conversations with Case Officers) it has become clear that much of the land around Bromham, and to the south of Leighton Buzzard has been extracted and the land restored



such that the question of sterilisation does not arise.

**Recommended change**

- Concerning the Mineral Safeguarding Areas, two minor amendments are proposed which will make minor reductions to the areas to be safeguarded, at Bromham, and to the south of Leighton Buzzard.

None

**General Comments**

Name Organisation	S or U	Representation	PW or CW or AE
Rio D'Souza  Highways Agency	(J /E/ D) S	The Highways Agency considers the MWCS provides a suitable basis for informing future planning decisions relating to waste and minerals proposals. It is considered to be sufficiently detailed and provides the Highways Agency with a broad indication of where future waste might arise, where minerals could be worked, and the possible routing of HGV that may ensue. I also recognize that policies take account of the need to reduce freight movements which, from the Highways Agency's perspective, is considered sensible as it may ultimately minimize trip generation on the Highways Agency's road network.	CW
		The Highways Agency wishes to make a formal representation that the Plan is Sound, and also wishes to make the detailed comments contained in the letter. The Highways Agency wishes to rely upon this letter respect of its representation, and does not wish to attend the Examination in Public. The Highways Agency is keen to offer any assistance in assessing the potential impact of planned development growth on the Highways Agency's road network and the Highways Agency wish to	

<b>Janet Nuttall</b>	S	<p>continue to be part of any further consultation with regard to the LDF and any development proposals which come forward.</p> <p>Thank you for your email dated 2nd December 2011 seeking the views of Natural England on the soundness of the Minerals and Waste Core Strategy for Bedford Borough, Central Bedfordshire and Luton Borough Councils (“the authorities”).</p> <p>As you know, Natural England is a non-departmental public body whose statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p>	CW
Natural England		<p>As acknowledged by the authorities, to be deemed as sound, the Core Strategy should be justified, effective and consistent with national policy. An assessment of the document has led us to conclude that the Minerals and Waste Core Strategy is sound; however, there are a number of outstanding issues we would wish to see addressed in order to provide clarification in key policy areas, particularly in relation to designated sites.</p> <p>‘Soundness’ of the Minerals and Waste Core Strategy</p>	
		<p>Natural England considers that the Strategy is founded on a robust and credible evidence base, as set out in the Introduction section, citing the previous consultation stages. It is evident that the authorities have collaboratively assessed reasonable alternatives through previous stages. The Strategy provides appropriate flexibility and the body responsible for the delivery of each policy is clear. Collectively, this leads Natural England to conclude that the document is justified in its approach.</p> <p>The Strategy is considered by Natural England to be effective as issues associated with waste management and mineral production have been identified and are specific to the Plan area. However, there are some concerns regarding the neglect of environmental designations which we would wish to see addressed in order to provide clarification in the relevant policy area.</p>	
<b>Janet Nuttall</b>	S	<p>The Strategy is believed to be consistent with national policy insofar as Natural England's interests are concerned; however, reference to PPS9 and PPS10 has been overlooked in places.</p> <p>Natural England is satisfied that this document meets the test of soundness; however, we would advise that the outstanding issues identified above should be addressed prior to submission in order to provide clarification in key policy areas.</p>	CW
Natural England <b>Neville Benn</b>		<b><u>Minerals</u></b>	

Environment Agency

We support Mineral Core Policies. Please see our flood risk comments above in relation to minerals sites.

**Permitting**

- Development on or near currently permitted landfills (Brogborough and Elstow North) should not inhibit the ongoing management and restoration of those sites.
- Development proposals must include risk assessments to address gas and groundwater impact from the development and on the development on currently permitted landfill.
- Waste management activities, including landfill, will be require to have and EPR permit prior to operation.
- The landfill location policy must be adhered to when considering the location of new landfills and extensions to existing landfills.

**Nicky Upton**

S

The Minerals and Waste Core Strategy has produced good quality information and data providing evidence to plan for a sustainable waste management future for the Bedford Borough, Central Bedfordshire and Luton Borough Councils.  
Conclusion

Harlington Parish Council

17) We have been asked to comment on the ‘soundness’ of the Minerals and Waste Core Strategy. From my appraisal of the documents, whilst there remain some issues that are not fully resolved and which could impinge upon the community of Harlington, the Strategy is reasonable, thorough and, from a waste management point of view, reflects current and best practice. The minerals aspects appear to be logically developed but I am not in a position to judge whether they represent best practice or choices. They seem reasonable.

18) I recommend that we endorse the Strategy subject to clarification of those points that HPC may wish to examine further.

**Nicky Upton**

S

Members agreed to accept the document’s soundness and endorse the robust strategy because it was considered a good document although it was felt that it was not intelligible with the language and

Harlington Parish Council <b>Jeremy Clayson</b>  Warmingtons Surveyors	U -  J, E, NP	acronyms used; it was suggested that a simplified version should be produced because it had too many pages and no summary. We have lodged various representations previously to this slowly emerging Plan and merely have general comments as follows- <u>1) Justification</u> There must be adequate proven need in the respective localities for all proposed uses. <u>2) Effective</u> The activities must be able to be performed adequately and without danger or undue disruption to the Highway System and local communities. <u>3) National Policy</u> National Policy is merely a guide for district and local councils and communities but local people must be listened to more and due allowance given for particular local circumstances. National operators in the minerals and waste sectors must prove the need for such in the respective localities. Waste disposal is clearly the modern problem and the adverse effects upon communities must be of prime importance in the decision making. There should be no large scale traffic through the built-up areas and communities.	CW
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**Explanatory note**

The Minerals and Waste Core Strategy has been developed over a period of several years from several predecessor documents. It is justified by an extensive series of Evidence Base documents and Technical Evidence Papers, which have been published with the Core Strategy. Effective community engagement has been carried out during all of the consultation stages in accordance with the Statement of Community Involvement.

The site near Harlington shown as a red dot in the 2005 Bedfordshire Aggregates Landbank Study, produced by Cuesta Consulting Ltd is now in aftercare.

**Summary response**

There is no obvious merit in the comments made.

**Recommended change**

**No change.**

**Proposals Map**

Name Organisation	S or U	Representation	PW or CW or AE
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	(J /E/ D)	
<b>Nicky Upton</b> Harlington Parish Council	S	Harlington was identified with a red dot as being ideal for concrete although there was no indication or mention of what was going to happen;

**Explanatory note**

The site near Harlington shown as a red dot in the 2005 Bedfordshire Aggregates Landbank Study, produced by Cuesta Consulting Ltd is now in aftercare.

**Summary response**

The map on page 65 uses an OS base which shows railway stations as pink dots. These are not to be confused with the three aggregate railhead facilities identified on inset maps 1 and 10 shown in red.

The proposals Map would benefit from being separated from the rest of the Core strategy and being clearly labelled as such.

**Recommended change**

- 1. Place the Proposals Map at the rear of the document, and label it as 'Proposals Map'.**
- 2. Show Aggregate railhead facilities in a different alternative colour.**

**Technical Evidence Paper 1: Waste Data**

Name Organisation	S or U	Representation	PW or CW or AE
	(J /E/ D)		
<b>Neville Benn</b>		<b><u>Waste Technical Evidence Paper 1 – Waste Data</u></b>	

Environment  
Agency

**2. Municipal Solid Wastes (MSW)**

**2.6** – We agree with the conclusions.

**3. Commercial and Industrial Wastes (C&I)**

**3.2** – We agree with the lack of C & I data.

**3.3** – This may require more detail explanation with regard to the ADAS findings similar to that of the RSS 2008 data that is provided here.

**4. MSW and C&I Waste Streams**

**4.1** - There is no mention of “Residual Waste” as MSW and C&I waste stream which in itself is a significant part of waste arisings, while the principle recycling streams are mentioned and describe in a little detail.

**Remainder** – We support the remainder of the waste technical papers as they describe other wastes like Hazardous including Clinical and WEEE, Low Level Radioactive wastes, Construction, Demolition and Excavation wastes, and Sewage and Agricultural waste. The Paper finishes with several sources of information from waste studies.

**Bill Temple-  
Pediani**

U

KTI Energy

It seems my e-mail of 3 December 2011 to Central Bedfordshire Council and copyees is invalid because it does not tick those boxes prepared by waste officers. In anticipation of this response, I published today letter in The Times which places blame upon Councils for incinerators. I did not feel it necessary to name Central Bedfordshire Council for culpability because readers of The Times are able to put two and two together. Buckinghamshire and Northamptonshire County Councils will draw their own conclusions.

I am however prepared to assist Central Bedfordshire Council devise the type of scheme favoured by the Energy Secretary. My comments are reserved for Papers 1 and 4.

Paper 4: Waste Data

AE

The published waste statistics have no value unless broken down into the fraction available for material recovery and that available for fuel recovery. The market decides the higher value placed upon materials recovered which causes combustibles like paper, card, plastic and wood to be diverted to re-use. The lower value of contaminated materials causes those combustibles are better diverted to SRF and woodchip. Neither Defra nor Central Bedfordshire Council has power to rule against free market forces.

The following suppositions have already been discussed in principle with David Lee of Defra. The data obtains for the plan area:-

MSW 298,000 t/a capable for conversion to 45% SRF = 134,000 t/a

C&I 504,116 t/a capable of conversion to 25% SRF = 126,000 t/a

C&D unquantified but gestimated at = 100,000 t/a SRF and woodchip

Total fuel available from plan area = 360,000 t/a

Defra has no data on arisings of combustible C&D waste. Demolition throws up mainly contaminated waste wood feedstock. Construction throws up a mix of paper, card, plastic and wood from civil engineerig contracts, house builders, utilities, ports, C&A sites and jobbing builders removing old kitchen and bedroom furniture, garden fencing and the like.

Assuming this fuel blend has a calorific value equal to that of waste woodchip, 360,000 t/a should be capable of generating average 54MWe electricity over 8,000 hours per annum.

#### **Explanatory note**

See response to paragraphs 4.1 – 4.4

#### **Summary response**

See response to paragraphs 4.1 – 4.4

#### **Recommended change**

**See response to paragraphs 4.1 – 4.4**



**Waste Technical Evidence Paper 2 Assessment of Need for Additional Waste Management Capacity**

Name Organisation	S or U	Representation	PW or CW or AE
Neville Benn Environment Agency	S	<p><b><u>Waste Technical Evidence Paper 2 – Assessment of Need for Additional Waste Management Capacity</u></b></p> <p><b>3.2 – Clarification sought:</b> Does the Permitted and Operational capacity refer to those sites with planning permission or the Environment Agency Permitted waste sites?</p> <p><b>MSW Forecasts</b> We agree with the calculation for landfill the paper recognises that there will still be a requirement for landfilling, even with 100% of waste undergoing some form of treatment as this is due to the fact that some waste treatments lead to residue waste and that there is no alternative but to landfill.</p> <p><b>C &amp; I Forecasts</b> We support as it is difficult to project C &amp; I tonnages therefore the scenarios presented within the Paper are the best position for the forecasting of C &amp; I waste arisings.</p> <p><b>Waste Imported from London</b> We agree that the paper recognises and uses scenarios based on the East of England's RSS that states there will be diminishing waste arising from London and that such waste will be the residue from treatment for disposal at landfill.</p> <p><b>Remainder of the Paper</b> We have no issues with the assumptions being made on the remainder of this Paper 2 from Recycling through to the various waste streams like food, green and hazardous wastes.</p>	CW

Also Construction, Demolition and Excavation wastes while accepting that the data is not reliable, the Paper uses information based on a commissioned report from BRE which is the best available data and would support the three scenarios put forward.

**Explanatory note**

See response to paragraphs 4.1 – 4.16

**Summary response**

See response to paragraphs 4.1 – 4.16

**Recommended change**

**No change**

**Waste Technical Evidence Paper 3: Delivery Issues for Strategic Waste Sites**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Neville Benn  Environment Agency	S	<u>Waste Technical Evidence Paper 3 – Delivery Issues for Strategic Waste Sites</u> We support	CW

**Explanatory note**

This TEP set out and discussed the issues relating to the delivery and implementation of the identified Strategic waste sites.

**Summary response**

No reason for amendment.

**Recommended change****No change**

## Waste Technical Evidence Paper 4: Outputs from Technology

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Neville Benn	S	We support	
Environment Agency			
Bill Temple- Pediani	U	Paper 4: Strategic Waste Management Sites	
KTI Energy		<p>A renewable CHP station fired by a blend of SRF and woodchip (like Slough Heat &amp; Power) is authorised by Environment Agency as an Energy Industry. The partnership which KTI Energy Limited develops in the South East Midlands is with residential and commercial property developers capable of laying an extensive district heating network at their cost as a condition of securing planning consent from Central Bedfordshire Council and/or Milton Keynes Council.</p> <p>The benefit to residents of the South East Midlands of attaining qualifying CHP is the award of 1 ROC per MWh over and above the wholesale price of electricity coupled with the award of Renewable Heat Incentive. When quantified, the net outcome of efficient technology is that the owner of a renewable CHP station able to offer least gate fee for SRF and woodchip preferable delivered by rail or water as recommended by EN-3 Renewable Energy Infrastructure NPS.</p> <p>Central Bedfordshire Council fails in its Waste Core Strategy to address where precisely should SRF and woodchip be manufactured from MSW, C&amp;I and C&amp;D waste. As generator, KTI Energy Limited is entitled to request Central Bedfordshire Council to adopt rail-linked sites so that fuel may be delivered by rail to the non-waste management renewable CHP station adjacent to Junction 13 of the M1 motorway.</p> <p>Central Bedfordshire Council has identified two sites which meet this criterion for installation of MBT and MT processing plants, as follows:-</p>	

- i) WSD 14: Stewartby
- ii) WSD 31: Stewartby Sidings.

**Explanatory note**

This TEP discussed the range of outputs from different forms of waste recovery technologies.

**Summary response**

There is no reason to make an amendment.

**Recommended change**

No change.

**Waste Technical Evidence Paper 5: Strategic Waste Management Sites**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Neville Benn Environment Agency	S	We support	CW

**Explanatory note**

The identified Strategic waste sites and their selection is discussed in Waste TEP 5.

**Summary response**

No reason to suggest an amendment.

**Recommended change**

**No change.**

**Mineral Technical Evidence Paper 1**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren		<b>Minerals Technical Evidence Paper 1</b>	AE
Lafarge		<p><b>Paragraph 2.1/Table 1</b> It would be helpful within Table 1 following paragraph 2.1 to specify whether the mineral is extracted for concreting sand and gravel purposes or for building/soft sand purposes. At present there are some discrepancies within the descriptions. We believe that making the distinction between the different minerals extracted will provide needed clarity. It would also be helpful if Table 1 was re-ordered so that it matched and cross referenced to the plan at page 4, titled, 'Permitted (operational and non operations) mineral sites.</p> <p><b>Paragraph 2.4</b> Reference is made to two dormant sand and gravel sites; these should be shown on the plan at page 4. Paragraph 2.4 states that Sandhouse may have a permitted reserve of 200,000. This sentence is imprecise, we can confirm that the site at Sandhouse does have 200,000 tonnes of reserves. Paragraph 2.4 continues by stating that the reserves at Sandhouse appear to be uneconomical. This is incorrect, at no point has Lafarge stated that the reserves at Sandhouse are uneconomic. Sandhouse is a dormant IDO consent and should be excluded from reserves.</p>	

**Paragraph 6.1**

There are a number of errors with the list of Asphalt plants. The Old Brickworks is operated by Lafarge and not Tarmac. The Rock International site at Elstow does not produce coated roadstone. The Elstow Asphalt Ltd operation is a joint venture with Lafarge and Tarmac, supplying large scale infrastructure projects.

**Paragraph 6.2**

The statement at paragraph 6.2 is incorrect, these facilities are not small scale. They are important facilities with the ability to supply large scale infrastructure projects, by way of example the facility at Elstow recently supplied all the coated roadstone for the duelling of the A421.

**Paragraph 7.1**

There are a number of errors with the list of Concrete Batching plants. The Lafarge Readymix site is located within Willington Quarry and not Cople. The site operated by Supreme Concrete Ltd is a precast works and not a concrete batching plant. The list for sites within Central Bedfordshire appears incomplete.

**Explanatory note**

There is a difficulty in being precise as to where concreting sand and gravel and building/soft sand is extracted because of the limited information provided by operators. However, in general terms the building/soft sand is found on the silica sand sites and all other sand and gravel sites provide soft sand. A note could be added to that effect to the paper.

The comments on MEP1 actually refer to MEB1

**Summary response**

A note could be added to MEB1 indicating the general source of building/soft sand and concreting sand and gravel. Make corrections in paragraphs 2.4, 6.1, 6.2 and 7.1

**Recommended change  
MTEP1 (actually MEB1)**

*(typo on table – Chamberlains)*

**Para 2.1/Table 1**

**A general reference will be made to the quarries from which building/soft sand and concreting sand and gravel are sourced. It should be possible to cross reference the lists of sites with the Plan.**

**Para 2.4**

**Amend paragraph 2,4 to state that ‘Sandhouse *has* a permitted reserve of 200,000 tonnes.....an intention to work these reserves. These reserves have been excluded *from* the aggregate landbank as *they are on dormant sites.*’**

**Para 6.1**

**Amend:**

**Old Brickworks – *operated by Lafarge***

**Rock International holdings – *does not produce coated roadstone***

**Lafarge Aggregates *and Tarmac* operate Elstow Asphalt Ltd. This operation is a large scale facility which *supplies large scale infrastructure projects***

**Para 6.2**

**Amend:**

**These are important facilities with the ability to supply large scale infrastructure projects. For example the facility supplied all the coated roadstone for the duelling of the A421. The facility also provides asphalt to utilities companies and councils and imports**



primary aggregate from Leicestershire.

Para 7.1

Amend

Lafarge Readymix – at Willington quarry (not Cople)

Supreme Concrete Ltd – pre-cast works (not concrete batching)

**Minerals Technical Evidence Paper 2**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren	U – J E	<b>Minerals Technical Evidence Paper 2 Paragraph 2.1</b>	AE
Lafarge		The table at paragraph 2.1 provides a useful breakdown of the permitted sites within the Plan area. It would be more accurate and helpful to the reader if the reference to aggregate sand was clarified to be either concreting sand and gravel or building sand. Unsound Reason: not justified or effective	

**Explanatory note**

It is suggested that it would be more appropriate to refer to aggregate sand and gravel to be referred to as ‘concreting sand and gravel’ to distinguish it from ‘building sand’.

**Summary response**

The term ‘aggregate sand and gravel’ is not incorrect although it is acknowledged that much of this material is used for concreting purposes.

**Recommended change**

None

**Minerals Technical Evidence Paper 3**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren	U – J, E	<b>Minerals Technical Evidence Paper 3 Paragraph 2.4</b>	AE
Lafarge		<p>The last sentence at paragraph 2.4 makes reference to the need for a far greater provision for aggregates than at the Issues and Options and Preferred Options (October 2007). It would be helpful of the reasoning for this was clearly referenced, i.e. a requirement for the Core Strategy period to be 15 years from adoption. Unsound Reason: not justified</p> <p><b>Paragraph 2.8</b> As a matter of style the paragraph would read better if the precise figure of aggregates is referred to. We would also expect the reference for the planning permission for Grovebury Road Quarry to be up to date, clarification is needed on the S106 planning agreement. Unsound Reason: not justified</p> <p><b>Paragraph 2.9</b> Reference is made to the entire Plan period and this relates back to our comments already made in terms of landbank at the end of the Plan period.</p>	

**Method Two**

There is little point in using the sales figures if an agreed apportionment is in place.

**Method Three**

We believe that there is little merit in using outdated information.

**Paragraph 4.2**

We are therefore supportive of using Method 1 to determine the level of provision for sand and gravel. Again clarification to the length of the landbank at the end of the Plan period should be made.

**Section 5**

Typos in the title.

**Paragraph 5.1**

The sites MD3, MD8, MD10 and MD12 all form extensions to Willington Quarry. It would be helpful if these were all listed under a sub heading to show that they were extensions to Willington. The reserve figures for Willington Lock are incorrect and should be 1,180,000 to 1,244,000 tonnes. The reserve figures for Willowhill Farm are incorrect and should be 630,000 to 740,000 tonnes. The reserve figures for Bridge Farm are incorrect and should be 544,000 to 1,004,000 tonnes. Planning permission has not been granted for Octagon Farm North (previously site ref MD12). This area contains a reserve of 150,000 tonnes and we would wish to see this included within the allocated sites.

The final paragraph on page 6 needs numbering and we recommend a separate sub-heading would improve the clarity of the document. Furthermore, what is the approach to new sites? The site at Blunham/Roxton will be a new site and falls within the last option within the sequential test at paragraph 5.3 of the Core Strategy.

In promoting the allocation of new sites and extensions to existing sites Lafarge has developed a strategy that seeks to maintain continuity of sand and gravel supply through the Plan period. Representations submitted by Lafarge in March 2006 are attached at Appendix 4. These representations demonstrate a clear strategy for the Roxton/Blunham site to provide longer term reserves and production capacity to replace or supplement operations at Willington Quarry and/or Black Cat Quarry. Whilst we are pleased to see that the Council has allocated the sites that Lafarge

has promoted, we feel that there should be clearer explanation within the Core Strategy to explain the visualised development strategy.

Unsound

Reason: not effective or justified

**Paragraph 5.3**

We seek further clarification of the approach that the Council are taking with sites being brought forward to meet demand. Is there an order for working of these sites? How will the year on year demand be met?

Unsound

Reason: not effective or justified

**Paragraph 7.2**

Reference is made to reserves for Willington Quarry would only be released as and when there was a need for further reserves to maintain supply. It needs to be recognised that there will need to be account taken for the lead in times of opening up new extraction areas.

The final sentence makes reference to the need to allocate an additional 7.24 million tonnes.

Reference is made elsewhere in the document for a requirement of 9.24 million tonnes. This requires clarity.

Unsound

Reason: not effective

**Paragraph 7.3**

Paragraph 7.3 refers to the allocation of Black Cat and Broom South but there is no reference to Blunham/Roxton.

It would also be helpful if there were a breakdown of reserves and anticipated production rates from the existing and proposed sites to see how the annual requirement will be met.

Unsound

Reason: not effective or justified

**Paragraph 8.2**

Reference is made to the poor response rate to the annual surveys. We wish it to be made clear that as far as we are aware, Lafarge has fully participated in making annual returns. It would be helpful to clarify where these poor responses are coming from. There is an agreement in place with the Mineral Products Association for the minerals industry to co-operate with Mineral Planning Authorities in ensuring accurate reporting to annual surveys.

**Paragraph 8.3**

We support the allocation of proven reserves of concreting sand and gravel. It is very important for the Plan to recognise that there will be a continued demand for these minerals over and beyond the Plan period to support and maintain economic growth.

The sentence regarding soft sands coming forward through silica sand sites is not precise and suggests that no provision needs to be made for soft sands.

Clarification is sought for the inclusion of the Clipstone Brook site and confirmation that this is for silica sand with no provision to the aggregate reserve.

The final sentence should include the word 'concreting' before aggregate sand and gravel.

Unsound

Reason: not effective

**Paragraph 9.1**

There is an important distinction to be made within paragraph 9.1 to the fact that the aggregate sands derived from silica sand sites are predominantly building/soft sands and not concreting sand and gravels.

Unsound

Reason: not effective

**Paragraph 10.2**

The final sentence is vague and for the Plan to be deliverable more justification to this statement is required.

Unsound

Reason: not effective

**Explanatory note**

The points raised will need to be addressed in MEP2.

**Summary response**

**See below**

**Recommended change**

**MTEP3**

**Para 2.4**

Amend last sentence '*However, it is clear that there is a need for a far greater provision for aggregates than was identified in the Issues and Options (2006) and Preferred Options (October 2007) consultation documents. This is due, in large part, to the change in Government guidance which now requires provision to be made for a 15 year period following adoption of the Plan rather than 10 years as was previously the case.*

**Para 2.8**

*Planning permission for the eastern extension to Grovebury Quarry was issued in January 2012 following the completion of the 106 Agreement. This means that an additional one million tonnes of aggregate sand and gravel has been added to the permitted reserves bringing the overall figure up to 23.88million tonnes.*

**Para 2.9**

**Add:** '*It is likely that there will be at least one review during the Plan period to ensure that there is sufficient reserve identified both to maintain the landbank throughout the Plan period and beyond.*'

**Method two**

See above

**Method Three**

Agreed. However, this option needed to be set out

**Para 4.2**

Noted

*It is likely that there will be at least one review of the level of identified reserves during the Plan period to ensure that the landbank can be maintained both during the Plan period and beyond. It is possible that the parameters for assessing the level of the landbank to be maintained may well have changed over the period of the Plan.*

**Section 5**

Typo in title corrected

**Para 5.1**

This refers to the silt beds area – 150,000 tonnes

Site surrounding now largely restored

Last paragraph to be renumbered 5.2

Renumber 5.2 as 5.3

Renumber 5.3 as 5.4

Noted – re Blunham Roxton

**Para 5.3**

*Add: The site at Blunham can be accessed by river crossing to land at Roxton for processing. This potential processing plant site immediately*

*adjoins the former extraction site at Roxton and the previously permitted processing plant area. Road access can be obtained to the current A428 via the same road access used for the permitted workings at Roxton.*

Meeting demand -

**Para 6.1**

*Amend to: Planning permission for the eastern extension to Grovebury Quarry was issued in January 2012 following the completion of the 106 Agreement. This means that an additional one million tonnes of aggregate sand and gravel has been added to the permitted reserves bringing the overall figure up to 23.88 million tonnes.*

**Para 7.2**

Amend second sentence to ' The **anticipated** ~~maximum~~-yield that **from** these preferred sites ~~could supply~~ is between 1.21MT and 2.76MT (average 1.95MT).

**Para 7.3**

Amend: add ' Blunham/Roxton' after 'land at Black Cat'

**Para 8.2**

noted

**Para 8.3**

Add after (Clipstone Brook) 'for the provision of silica/specialist sand'

soft sand

Add 'concreting' before 'aggregate sand and gravel'



**Para 9.1**

Add after 'aggregate sands in line 3 'which is predominantly building/soft sands and not concreting sand and gravels'.

**Para 10.2**

After 'split landbank policy' add: Data has either not been provided for some sites or there has been a lack of consistency in the way that data has been provided which has meant that it is impossible to calculate with any precision the volumes of concreting sand and gravel and building/soft sand produced at the different sites and to use this information to maintain a split landbank.'

Sentence 2 – delete 'this' and replace with 'a split landbank'

Sentence 3 – change 'building sand' to building/soft sand'

**Minerals Technical Evidence Paper 7**

Name Organisation	S or U  (J /E/ D)	Representation	PW or CW or AE
Spencer Warren	U – J E	<p><b>Paragraph 1.4</b> Paragraph 1.4 states that all the identified Strategic Mineral Sites fall within categories 1 and 2 of the sequential test identified within paragraph 1.3. However, the site at Blunham/Roxton is a new stand alone site and should be treated as such. The preferred strategy may be for it initially to act as a satellite reserve to Willington Quarry or Black Cat. However, longer term the intention will be for it to have a separate processing plant on site.</p>	AE
Lafarge		<p><b>Paragraph 2.1</b></p>	

Strategic sites lie to the west as well as the south of Great Barford.

**Paragraph 2.2**

Lafarge do not control the land they are the prospective lessee. The reference that the processing plant is located at Willington Lock is incorrect, this should be Willington Quarry. The mineral will be transported to the processing plant area via the existing extraction area at Dairy Farm.

**Paragraph 2.3**

The proposed rowing lake lies to the west, not east, of the proposed Strategic Mineral Sites.

**Paragraph 2.4**

Initial sentence should be amended to read:

*There are a number of existing permitted extensions that form the Willington Quarry complex in this area...*

First bullet point – replace Willington Quarry with The Grange

Second bullet point – add Castle Mill after Octagon Farm North

Recommend the inclusion of a further bullet point to include Dairy Farm that has planning permission until October 2014.

**Paragraph 2.5**

Willington Quarry is not being restored to lower level agriculture as stated. The restoration is a mix of agriculture at original ground levels with the importation of inert fill and to areas of water.

**Paragraph 2.6**

Additional text at the end of paragraph 2.6 is recommended that states that an alternative access to serve the quarry could be provided, for example via Dairy Farm.

**Paragraph 2.8**

Clarification is recommended here that the most likely location of a replacement processing plant to allow for the development of the rowing lake will be at the Dairy Farm site.

**Plan on Page 5**

The preceding text of the TEP concentrates on the potential impact of the rowing course. We thought it would be helpful if the plan on page 5 highlighted the proposed extent of the rowing course and how it relates to the permitted and proposed mineral extraction areas. It would also be useful if it showed the proposed internal access road to link the proposed extension areas to the processing plant ( as previously referred to regarding alterations to Inset Map 7).

**Section 3**

Recommend the deletion of Roxton and Blunham as this site should be considered separately.

**Paragraph 3.1**

Recommend the deletion of the text Octagon Farm and Dairy Farm – these are extensions to Willington Quarry.

**Paragraph 3.2**

The access onto the A1 from Black Cat Quarry is onto the existing leg of the roundabout. It is inaccurate to say it has been improved.

**Paragraph 3.5**

Object to the initial wording to the sentence. The proposed area for mineral extraction at Blunham/Roxton is under the control of Lafarge.

We believe that Blunham/Roxton should be treated as a standalone site, but it has the flexible capability to act as :

- i. A satellite reserve which could be processed initially ( i.e. during formation of on site processing plant site and silt lagoon systems ) at Black Cat or Willington;
- ii. A new production facility to process residual reserves from Black Cat ( i.e. from recovery of mineral from under the processing plant site) ; and /or
- iii. A long term replacement site with processing capacity to replace either Black Cat and/or Willington.

**Plan on page 7**

The plan on page 7 should include the full extent of the area that Lafarge has promoted and should also include the area for the potential processing plant and access road.

**Explanatory note**

MTEP7 sets out the delivery issues associated with bringing the different sites forward. As most sites are extensions to quarries or satellite sites they will come forward as there is capacity for the mineral at the appropriate processing plant.

**Summary response**

To update MTEP7 to include a phasing plan for the Lafarge sites to the east of Bedford and to explain why extensions and satellite sites have been favoured rather than fee standing sites.

**Recommended change**

**Recommended change**

**MTEP7**

**Para 1.4**

Add to end of first sentence: *'apart from Blunham/Roxton which is a stand alone site Blunham /Roxton may initially act as a satellite site to Black Cat or Willington Quarry but in the longer term it is intended to have its own processing plant.'*

**Para 2.1**

Add *'and west'* after *'lie to the south...'* line 1

**Para 2.2**

Delete *'has control of the land at '* in line 3 and add *'is a prospective lessee'*

*'Willington Lock'* line 4 to be amended to *'Willington Quarry'* and add *'via the extraction area at Dairy Farm.'*

**Para 2.3**

Second sentence amend from *'This land lies to the east of..'* to *'This land lies to the west of..'*

**Para 2.4**

Delete first sentence and insert '*There are a number of existing permitted extensions that form the Willington Quarry complex in this area.*'

Delete 'Willington Quarry' and replace with 'The Grange'

Add 'and Castle Mill' after Octagon Farm North

Add further bullet point – Dairy Farm planning permission until October 2124

**Para 2.5**

Delete 'lower level' line 3 and add after agriculture '*at original ground levels with the importation of inert fill and areas of water.*'

**Para 2.6**

Add a further sentence '*An alternative access to the quarry could be provided, for example via Dairy Farm.*

**Para 2.8**

Add '*A possible location is Dairy Farm.*'

**Plan on page 5**

Bedford Borough does not want the internal haul route shown as this could change over time to facilitate the rowing lake.

If the rowing lake is shown then over elements of restoration should be shown as well./

**Section 3**

Amend so that section 3 deals with Black Cat and Section 4 deals with Blunham /Roxton

**Para 3.1**

Delete '*and Blunham/Roxton*'

Delete '*Octagon Farm and Dairy Farm*'

**Para 3.2**

Change 'the sites put forward at Black cat as Strategic Sites..' to 'The site put forward at Black Cat *as a Strategic Site*'

Sentence 5 delete '... and this includes an improved access on to the A1...' and add ' onto an existing arm of the A1/A421 roundabout...'

**Para 3.5**

These issues dealt with under a new Section 4.

So 3.4 becomes 4.1 and 3.5 becomes 4.2

Amend new 4.1 (former 3.4) delete second sentence and add '*This site has the flexibility to act as a satellite reserve which could initially (during the formation of on site processing plant site and silt lagoon systems) at Black Cat or Willington Quarry .The site could also act as a new production facility to process residual reserves from Back Cat - such as recovery of mineral from under the processing plant site and/or a long term replacement site with processing capacity to replace with Black Cat or Willington Quarry.*'

*Add phasing plan for sites and further explanation about the choice of satellite sites and extensions.*