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Our Ref: PINS/X0225/429/3

Date: 4<sup>th</sup> October 2013

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Dear Susan,

**BEDFORD BOROUGH, CENTRAL BEDFORDSHIRE & LUTON BOROUGH  
COUNCILS MINERALS & WASTE CORE STRATEGY: FINAL REPORT**

Thank you for your letter of 3<sup>rd</sup> October 2013 providing your comments in response to the fact check of the Inspector's report on the Minerals & Waste Core Strategy.

The Inspector has corrected the errors that have arisen and made the amendments to the report where appropriate, with one exception as detailed below:

*Since the close of the Hearing sessions, the Joint Authorities have provided The Planning Inspectorate with an update on the circumstances of the Elstow south site.*

*The Joint Authorities have stated that the planning application for Elstow south was recommended for refusal by Bedford Borough Council and was due to be determined by its Planning Committee on 19 August 2013. However, the applicant, FCC Environment, withdrew the application on 15 August 2013.*

*The withdrawal of this application after the close of the Local Plan Examination Hearing sessions does not require any revisions to the Inspector's report and its recommendations; the Inspector has endorsed the change to the Local Plan, proposed by the Joint Authorities prior to the close of the Hearing sessions, to delete Elstow south as an allocated site.*

I therefore enclose your final report.

Clearly it is now for the Council to adopt the Document at its discretion. The Inspectorate maintains a national database of Local Plans progress on the Planning Portal (and a submissions database) and we would be grateful if you

can advise the Plans Team when you adopt in order that your plan status can be updated.

Please provide us with a Purchase Order Number so that we can include it on your invoice. Both the fees and expenses will be payable for all duties carried out in examining your Local Plan.

The Council should consider whether adoption could have any effect on appeals currently being considered by the Planning Inspectorate. As you know, appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's (or the Secretary of State's) decision, not as it was at the time of the Council's decision. If adoption changes the policy position, the relevant Inspector(s) will need to take that into account. In addition, please ensure that your new policy position is clearly explained when submitting your Questionnaire in relation to future appeals received after adoption.

If the above circumstances apply, it would be very helpful if the Council could contact the relevant Case Officer(s) in the Planning Inspectorate dealing with any outstanding case(s) at the time of adoption.

Yours sincerely

Steve Carnaby

Plans Team