

Minerals and Waste Local Plan: Strategic Sites and Policies

SUSTAINABILITY APPRAISAL (Incorporating Strategic Environmental Assessment)

ADOPTION STATEMENT

Introduction

1. This Sustainability Adoption Statement forms the final output from the Sustainability Appraisal of the Minerals and Waste Local Plan: Strategic Sites and Policies (MWLP: SSP). The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be undertaken of Local Development Documents. The SA process has integrated the requirements of Strategic Environmental Assessment in line with the requirements of The Environmental Assessment of Plans and Programmes Regulations 2004. According to Regulation 16 (3) of the SEA Regulations the Adoption Statement must include the following:

- How sustainability, and in particular environmental, considerations have been integrated into the Plan;
- How the Sustainability Appraisal has been taken into account;
- How the opinions expressed in response to the relevant consultations on the SA reports have been taken into account;
- The reasons for choosing the plan as adopted in light of other reasonable alternatives; and
- The measures agreed to monitor all the significant environmental effects of the implementation of the plan

2. The overall purpose of the Sustainability Appraisal has been to evaluate the likely implications for sustainable development of the proposed Local Plan, to inform the Plan making process and to ensure the integration of social, environmental and economic considerations into the objectives and strategic policies of the Local Plan.

How Environmental and Sustainability Considerations have been integrated into the Minerals and Waste Local Plan: Specific Sites and Policies

3. A Sustainability Appraisal was produced at each stage of the plan making process and assessed the sustainability effects of each consultation document which led to the development of the Minerals and Waste Local Plan: Strategic Sites and Policies. The Sustainability Appraisals also proposed various mitigation measures at each stage. Many of these mitigation measures were subsequently incorporated into later versions of the Plan. This meant that the final version of the Plan scored mainly positively. The Sustainability Appraisal recognised that many of the mitigation measures proposed could only be implemented at the planning application stage.

Final stages

4. The Minerals and Waste Core Strategy Plan for Submission Sustainability Appraisal includes the reasons for choosing the alternatives selected, lists the positive, neutral and negative effects of the Plan as well as a number of mitigation measures. Two further public consultations were carried out following the publication of the Plan for Submission. The public consultation following the Hearings in December 2012 and January 2013 set out the Main and Additional Modifications which were made in response to representations made at the hearings and the Inspector's initial views on the matters raised. The main modifications to the Plan are the deletion of the Elstow South Strategic Non hazardous waste landfill site and the addition of a Sustainability Policy as set out in the National Planning Policy framework (NPPF). There were also a number of revisions made to other policies to ensure that they were more positively worded. These modifications were subject to a Sustainability Appraisal, and were not considered to have any additional significant negative effects.

5. The Inspector's report, published in October 2013, required a number of modifications to be made to the Plan to ensure that it was sound, These Modifications had already been the subject of public consultation apart from one relating to the proposed Strategic Waste Recovery Site at Thorn Turn.. In respect to Thorn Turn the Inspector noted that the site was site in the Green Belt and until such time as it was taken out very special circumstances have to be demonstrated to justify any proposal for waste management development here. The Inspector required an explanatory paragraph to be added to the Plan. All the modifications proposed by the Inspector have been made to the Plan. The Inspector required no further consultation on these modifications as they had all been consulted upon except one relating to Thorn Turn which was setting out what was in the NPPF in the Plan for clarification. This means that the MWLP:SSP is still considered to have a generally positive effect on the environment.

How the Sustainability Appraisal and the opinions expressed in Consultation Responses on the Appraisal and the Minerals and Waste Local Plan have been taken into account

6. This section demonstrates how consultation with the public and statutory consultation bodies has been carried out and how these opinions have been taken into account in the development of the plan.

7. Environmental/sustainability objectives presented within the plans and programmes reviewed have been used to develop a set of objectives relevant to the existing sustainability issues in the plan area. The objectives have been informed by the baseline data review as well as the review of other relevant plans and programmes. This set of objectives has formed the SA framework and it has been used to assess the sustainability of the Minerals and Waste Core Strategy Plan for Submission. The SA framework has been amended following consultation on the scope of the SA.

8. Public participation in the SA and the plan has been seen as key to the success of the planning process. A specialist consultation team (made up of staff from CAG Consultants and ENVIRON) were used to ensure that the public affected by the plan and technical stakeholders were involved from the beginning of the plan making and SA processes. A summary of the process for the Scoping and Issues and Options stages is provided in following Table 1.

Table 1 : Public participation in the planning and SA processes	
Stage of the plan	Methods utilised
Minerals planning process	
Scoping	<ul style="list-style-type: none"> • A facilitated scoping workshop was held in September 2005, to which a wide range of stakeholder organisations were invited. This workshop included small group and plenary work exploring the key sustainability issues for minerals planning. • A scoping questionnaire was made available to download from a dedicated sustainability appraisal web page. All those stakeholders unable to attend the scoping workshop were also asked to complete the questionnaire.
Issues and options	<ul style="list-style-type: none"> • A workshop with key technical stakeholders held in February 2006. This facilitated appraisal workshop provided representatives from key organisations the opportunity to input into the appraisal of key policy options and proposed new sites for minerals extraction. The workshop involved a mix of plenary discussion of key policy issues and options, and small group work on the appraisal of proposed sites for mineral extraction. • Three public consultation workshops were also held on various dates in February and March 2006. The workshops were targeted on those parts of the plan area where proposed new sites are concentrated, whilst also ensuring a good geographic spread across the plan area. They were held in Bedford, Biggleswade and Leighton Buzzard. At the workshop members of the public were led through an

	assessment of each mineral site identified at the issues and options stage.
Waste planning process	
Scoping	<ul style="list-style-type: none"> • A facilitated scoping workshop was held in May 2007, to which a wide range of stakeholder organisations were invited. This workshop included small group and plenary work exploring the key sustainability issues for waste planning. • A scoping questionnaire was made available to download from a dedicated sustainability appraisal web page. All those stakeholders unable to attend the scoping workshop were also asked to complete the questionnaire.
Issues and options	<ul style="list-style-type: none"> • A workshop with key technical stakeholders was held in November 2007. This facilitated appraisal workshop provided representatives from key stakeholder organisations the opportunity to input into the appraisal of key policy options and proposed new sites for waste management. The workshop involved a mix of plenary discussion of key policy issues and options, and small group work on the appraisal of proposed sites for waste management. • Alongside the formal consultation on the Council's Issues and Options report, four public consultation workshops were held during October and November 2007. The workshops were targeted on those parts of the plan area where proposed new sites are concentrated, whilst also ensuring a good geographic spread across the plan area. They were held in Bedford, Biggleswade, Dunstable and Stewartby. At the workshop members of the public were led through an assessment of each waste site identified at the issues and options stage.

9. In addition to the active community participation noted above, the SA team also adhered to the consultation requirements of the SEA Regulations which state that:

Consultation bodies (Natural England, English Heritage and the Environment Agency) should be consulted on the scope and level of detail of the assessment. This was accomplished through the production of and consultation on two scoping reports (a minerals SA scoping report in November 2005 and a waste SA scoping report in June 2007). The consultation bodies were also consulted when the SA framework was changed to take into account the fact that the waste and minerals processes were being merged together. This occurred as part of the Mineral Safeguarding Areas Consultation in February 2011.

10. Consultation bodies and public consultees must be consulted on any formal environmental (SA) reports which are produced. A lot of SA information has been produced and, the following formal SA reports that have been prepared as follows:

- September 2007: Bedfordshire County Council and Luton Borough Council Minerals Development Framework. Sustainability Appraisal of the Core Strategy Preferred Options.
- September 2007: Bedfordshire County Council and Luton Borough Council Minerals Development Framework. Sustainability Appraisal of the Site Allocations Preferred Options.
- December 2011: Bedford Borough, Central Bedfordshire and Luton Borough Council Minerals and Waste Core Strategy Plan for Submission. Sustainability Appraisal Report.
- April 2012: Bedford Borough, Central Bedfordshire and Luton Borough Council Minerals and Waste Core Strategy Plan for Submission with Focussed and Editorial Changes. Sustainability Appraisal Report.
- April 2013: Sustainability Appraisal Screening Assessment Report of the Main Modifications.

11. These reports set out how these opinions have been taken into account in the development of the plan and have been subject to formal consultation procedures with the public and technical stakeholders at the appropriate stages.

The reasons for choosing the Minerals and Waste Local Plan: Strategic Sites and Policies as adopted in light of other reasonable alternatives

12. As part of the iterative SA process used to develop the LDD the alternative mineral site options were tested against appraisal topics and appraisal objectives at the Issues and Options stage of the Minerals Local Plan and these were extensively consulted on. The topics included a wide range of subject areas including biodiversity, archaeology, protecting water environment, minimising transportation issues associated with minerals and impact on human health. The sites were considered in clusters on a locational

basis within the Plan area. Each site was also reviewed on an individual basis against the appraisal topics and objectives.

13. Specific Options were also considered and consulted on – varying aims for the Plan, timescale covered by the Plan, splitting the landbank (or not) between aggregates and silica sand, increased use of secondary aggregates, excluding extraction in the Upper Ouse Valley and resuming extraction here and timescales and period of Plan.

14. The results of the consultations with key stakeholders and the public and workshops that had taken place were summarised in the Sustainability Appraisal: Report of Issues and Options Consultation CAG April 2006). This set out the preferred policy options and the key sustainability issues for each site put forward. These included having as long a time period for the Plan as possible, using the sub-regional apportionment figure to determine the aggregates landbank, and exploring the potential for a split landbank between concreting aggregates and silica sand. These were used to inform the way the plan progressed.

15. The Waste Local Plan Issues and Options reviewed the waste sites put forward against appraisal topics and objectives. The sites were also clustered so that they could also be assessed in context of other sites in the same area. A range of options was also considered which included appropriate targets for use in projecting waste arisings for the duration of the Plan period, whether it was preferable to extend existing sites or to identify new sites for strategic waste purposes. The Council also sought confirmation that an approach based on identifying strategic sites for large waste management developments together with a criteria based approach for other waste developments was acceptable.

16. The results of the workshops attended by key stakeholders and the public were summarised in the Report of the Issues and Options Consultation (Environ/CAG December 2007). These workshops were used to discuss key policy issues and options and an appraisal of the sustainability issues was undertaken on the sites put forward. These were used to actively inform the way the Plan was progressed.

17. The decision was taken to merge the work that had been undertaken on a separate Minerals Local Plan and a Waste Core Strategy to produce a Minerals and Waste Core Strategy for the Plan area. The work that had been undertaken on identifying key sustainability issues for the sites and preferred policy options was carried forward to this document.

18. An SA was produced at each subsequent stage and used to inform the decision as to what options and sites and policies to take forward. Each Sustainability Report demonstrates how sustainability objectives have been taken into account at each stage and integrated into the development of the Local Plan.

19. The Plan that was submitted to the Inspectorate for Examination on Soundness was based on the selected options from the reasonable alternatives that had been discussed and refined over the plan making process. The sites that had been selected as strategic sites were selected on the basis of the sustainability issues that had been considered and took into account the volumes of mineral required and the capacity /throughput of waste facilities required to meet the needs of the Plan area for the Plan period based on the preferred options for assessing these requirements.

20. Following several hearings in December 2012 and January 2013 a number of modifications were proposed to the Plan. These included the inclusion of the Sustainable Development policy as required by the National Planning Policy Framework, making the wording of some policies more positive, amalgamating similar policies and recommending the deletion of Elstow south as a strategic non hazardous waste landfill site.

21. Further hearings were held following the responses to the proposed modifications following which the Inspector found the Plan to be sound. None of the mineral sites selected to meet the agreed apportionment figures for concreting aggregate or to make provision for the continued extraction of silica sand were challenged. There were two main issues – the allocation for non –hazardous waste landfill and the designation of thorn Turn as a strategic waste management site as it is currently located in the South Bedfordshire Green Belt.

22. With regard to non-hazardous waste landfill the Inspector considered that the two sites identified for this purposes at Elstow south and Rookery south would result in an excess of capacity which could be seen as unsustainable, although having two sites did provide some flexibility. Elstow south is not big enough to take the anticipated volumes of non hazardous waste whilst Rookery south is much larger and can accommodate the volumes anticipated. This combined with concerns about the timescale for developing landfill at Elstow south due to technical difficulties and potential impact on the viability of The Wixams has meant that the allocation of Elstow south for non hazardous waste landfill has not been confirmed by the Inspector.

23. With regard to Thorn Turn the Inspector acknowledged that it was currently in a rural location although it lies within the north of Houghton Regis Strategic Site Specific Allocation proposed by the Council in its emerging Development Strategy. Nevertheless he considered that local amenities would not be unacceptably harmed even if the allocation were to be developed without other major development nearby. Access could be gained to the site via the A5. The Inspector noted that as the site was currently in the Green Belt such development would be contrary to national policy. However, no other site had been identified in the southern part of the Plan area (Luton/ Dunstable/ Leighton Buzzard) and no evidence has been put forward that an alternative site exists outside the Green Belt. On the basis that the Development Strategy is promoting the removal of the site for the Green Belt at some time in the future, the Inspector therefore felt that it was reasonable to retain the allocation but on the understanding that very special

circumstances will have to be demonstrated in support of a planning application.

24. The Inspector did not consider that there was any overriding objection to the allocation of a waste recovery site at Elstow north landfill site as it was confirmed that the recovery operation there was not dependant on any landfilling, dewatering or associated leachate level reductions at Elstow south pit. He further comments that the site had excellent access to the A6 and that the employment allocations in The Wixams would offer a degree of segregation between the site and the housing area at The Wixams.

25. The Inspector was satisfied that the identification of mineral extraction sites was based on Aggregates Working Party figures for 10 years averaged annual sales and was content with this approach. He did not consider that there was any additional need to identify 'areas of search' where other sites might be developed.

26. The Inspector acknowledged the importance of the production of silica sand in the Bedfordshire area and that it had not been possible for the Joint Authorities to identify a landbank for silica sand due to confidentiality issues. The Inspector recommended changes to policy MCP5 and the supporting text to offer positive support for further planning permissions for non-allocated sites to ensure continuity of production for at least 10 years.

27. It can be concluded that the Plan has been produced in an iterative way taking full account of sustainability issues to appraise different sites put forward. Reasonable alternatives and options have also been considered in terms of policy and timescale of the Plan. Sometimes these have changed over time due to changes in legislation (for example the timescale of the Plan) or for other reasons. The reasons for choosing the Plan as adopted as set out above.

Measures that are to be taken to monitor the sustainability effects of the Minerals and Waste Local Plan: Strategic Sites and Policies

28. The SEA Regulations require Local Authorities to monitor the significant environmental effects of the implementation of each plan or programme, with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action. Monitoring is required for all significant effects, both positive and negative, as well as uncertain effects identified in the SA. The SEA regulations allow monitoring to be integrated within existing monitoring programmes to reduce duplication of effort.

29. A number of improvements were made to the monitoring framework (such as indicators and thresholds) during the preparation of the Plan and the SA.

30. Chapter 7 'Delivery Strategy and Monitoring' of the Minerals and Waste Local Plan: Strategic Sites and Policies - Monitoring and Implementation – sets out the objectives to be monitored, and how monitoring will take place against defined indicators, the targets and the implementation bodies.

Progress on monitoring the significant environmental, social and economic effects of the implementation of the Plan through the use of the strategic policies will be recorded in the Monitoring Report, which will be updated at appropriate intervals.

4th February 2014