

Minerals and Waste Joint Plan



Sustainability Appraisal Post Adoption Statement

November 2020

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Sustainability Appraisal

(SA Post Adoption Statement)

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1. Introduction	1
2. How Environmental considerations were taken into account	2
3. How the SA report has been taken into account	6
4. How the opinions of consultation bodies and the public have been taken into account ..	8
5. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with	10
6. How will the environmental and sustainability effects be monitored?.....	13

1. Introduction

The Joint Plan

North Yorkshire County Council, along with the City of York Council and the North York Moors National Park Authority have produced a Minerals and Waste Joint Plan. The Plan aims to set out new planning policies for minerals and waste developments across all three areas which will guide decisions on planning applications up to 31 December 2030.

The Minerals and Waste Plan is accompanied by a Sustainability Appraisal Report (SA Report) which incorporates requirements for a Strategic Environmental Assessment (SEA). This assessment assesses the social, economic and environmental effects of implementing the Plan, and reasonable alternatives, with the purpose of promoting the objectives of sustainable development and ensuring their integration within the Plan.

This statement accompanies the adopted Minerals and Waste Joint Plan for York, North Yorkshire and North York Moors National Park

Purpose of the Post Adoption Statement

SA/SEA Adoption Statements are a key tool for improving transparency in the decision making process. The document allows stakeholders to see how environmental and sustainability factors have been considered throughout the Plan's process. It demonstrates how consultation comments have been taken into account throughout the process and outlines the measures for monitoring the significant environmental effects of implementing the plan.

The SA Statement is a requirement of the SEA Regulations (Part 4, Regulation 16, (4)) which requires that as soon as reasonably practicable after the adoption of the Joint Plan, the following information is provided:

- How environmental considerations have been integrated into the plan or programme;
- How the environmental report has been taken into account;
- How opinions expressed in response to consultation have been taken into account;
- The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
- The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

2. How Environmental considerations were taken into account

Environmental considerations have been integrated into the plan throughout the SA process. The identification of a SA framework and the assessment of alternatives has allowed significant positive and negative effects to be identified, and the effects of reasonable alternatives to be evaluated and compared with each other. This process has assisted in the identification of preferred options, that are the most likely to achieve sustainable development.

Environmental considerations of the preferred approach were also evaluated, then measures to avoid, reduce and, as much as possible, offset any significant adverse environmental effects were incorporated. The process began with the preparation of the SA scoping report to support the preparation of the draft Plan, and was followed by an SA of the Issues and Options, Supplementary Options Preferred Options, and Publication stages. Each stage of the SA process has informed and influenced the development of the Joint Plan.

Consultation has been integral to the planning process and has helped to ensure that consideration has been given to environmental and sustainability issues during the formulation of the Plan. Further information on this can be found in Section 4 of this statement.

How environmental considerations were taken into account at each stage has been summarised below:

Scoping stage (2013):

An initial SA Scoping Report was prepared, which included a review of relevant plans, policies and programmes; identification of the characteristics of the Plan area and key sustainability issues; and an outline of the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the Plan. This work was then used to develop the SA Framework.

The SA Framework included 17 SA objectives which were compiled in order to guide the future assessment of policy options presented in the Minerals and Waste Joint Plan. Following consultation with the public and statutory bodies (Environment Agency, Natural England and Historic England) during May-June 2013, the report was updated accordingly.

Issues and Options Report (2014):

For this stage each Plan option was assessed against the SA Framework, the results of which were presented in a separate SA report. This included the assessment of the Plan's vision and objectives as well as various options.

A separate SA methodology report was produced, in order to guide the assessment of sites and areas for minerals and waste. This methodology incorporated the requirement to subject those sites and areas to Sustainability Appraisal. In addition, a Habitats Regulations Assessment and a Strategic Flood Risk Assessment were carried out in order to inform both the Sustainability Appraisal and the Joint Plan.

Supplementary Sites (2014):

As part of the Issues and Options consultation in Spring 2014, additional sites and revised site boundaries for existing sites were put forward and packaged into a Supplementary Sites document. These additional sites and revised boundaries were appraised using the SA Framework, and the SA report was updated (where appropriate) following consultation.

Preferred Options (2015-2016):

The preferred options stage presented new draft planning policies for minerals and waste and identified possible new sites for minerals and waste development, which the Councils considered suitable. Again, the SA Framework was used to assess these options, and the SA report was updated (where appropriate) following consultation.

Publication Draft (2016 – 2017):

Following on from the assessment during the preferred options stage, the publication draft was consulted on alongside the SA report during July to September 2017. In line with the SEA directive, the Plan presented a number of reasonable alternatives (see section 5) which were also appraised. The publication draft was accompanied by the SA Report.

Following further consultation in 2017, a number of proposed changes were undertaken to provide an opportunity for representations to be made regarding the legal compliance and the 'soundness' of the Addendum of proposed changes on the minerals and waste joint plan prior to submission for examination in public. In light of this SA and HRA addendum reports were produced, which appraised these changes.

Examination (2017-2019):

The Joint Plan was submitted to the Planning Inspectorate in November 2017, with a number of hearings taking place during the spring of 2018, and further hearings were held in January 2019. Following these hearings, a series of proposed main modifications were made to the Plan and have been consulted on. Each set of modifications have been appraised resulting in four SA and HRA Addendums. A summary of each of these addendums has been detailed below:

- July 2018 - Addendum of Additional Changes and Draft Main Modifications to the Publication Draft – post hearing March - April 2018;
- November 2018 - Addendum of Additional Changes and Draft Main Modifications to the Publication Draft – post hearing March - April 2018;
- November 2019 - Addendum of Additional Changes and Draft Main Modifications to the Publication Draft – post hearing March - April 2018; and
- March 2019 - Addendum of Main Modifications to the Publication Draft – Post hearing April 2018 and January 2019, and following consultation on Written Ministerial Statement and Select Committee Report March 2019

The output of the updated SA informed the finalisation of the MWJP through the Examination in Public process, including the proposed Main Modifications

Legislation Update

The Scoping Report was last update in February 2014, in which time new legislation and legislative updates have come forward. The SEA updates have taken these legislative changes/updates into account, a summary of which is provided in Table 2.1 below.

Table 2.1: Legislation Update		
Legislation/Document	Description	Where/How this has been considered?
Paris Agreement, 2015	The Agreement aims to limit the global warming change to well below 2°C above pre-industrial levels. However, countries aim to limit the increase to 1.5°C to reduce the impacts of global warming. The EU has committed to a binding target of a reduction of at least 40% in greenhouse gas emissions by 2030.	Objective 6 of the SA was to 'Reduce the causes of climate change'. The need to meet the targets of the Agreement were considered when assessing Plan's sites and policies.
National Planning Policy Statement, 2019	The revised National Planning Policy Framework was updated on 19 February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The update supersedes the 2012 NPPF that was reviewed at the scoping stage.	Policies were amended to reflect the changes in the updated NPPF.
Our Waste, Our Resources: A Strategy For England, 2018	The Strategy sets out how the government will preserve the stock of material resources by minimising waste, promoting resource efficiency and moving towards a circular economy.	Objective 8 of the SA covers resource use and Objective 9 seeks to minimise waste. The principles of the Strategy were considered when assessing Plan's sites and policies.
A Green Future: Our 25 Year Plan to Improve the Environment, 2018	The plan sets out the UK Government's goals for improving the environment, within a generation, and leaving it in a better state than it is now. It details how the government will work with communities and businesses to do this over the next 25 years.	Several of the SA Objectives align with the Plan, including 1 (biodiversity), 2 (water quality), 4 (air quality), and 5 (soils). These were considered when assessing Plan's sites and policies.
Defra, Clean Air Strategy, 2019	This Strategy sets out the comprehensive action that is required from across all parts of government and society to meet these goals. New legislation will create a stronger and more coherent framework for action to tackle air pollution.	SA Objective 4 is to protect and improve air quality. The need to meet the objectives of the Strategy align with the assessment of the Plan's sites and policies.

Table 2.1: Legislation Update		
Legislation/Document	Description	Where/How this has been considered?
	This strategy is a key part of delivering our 25 Year Environment Plan.	
The Clean Growth Strategy, 2017	<p>This Strategy sets out a comprehensive set of policies and proposals that aim to accelerate the pace of “clean growth”, i.e. deliver increased economic growth and decreased emissions.</p> <p>It explains how the whole country can benefit from low carbon opportunities, while meeting national and international commitments to tackle climate change</p>	SA Objective 3 seeks to reduce transport and related emissions and 6 seeks to reduce the causes of climate change. The policies in the Strategy align with the assessment of the Plan’s sites and policies.

3. How the SA report has been taken into account

The SA was undertaken iteratively, thereby influencing and informing each stage of plan preparation (see section 5 for further details). The SA findings and recommendations have been taken into account while making modifications to the Joint Plan throughout its development.

As options for policies and proposals emerged, the recommendations from the SA for the enhancement of positive effects and the mitigation of negative effects, have been used to inform what options have gone forward for further consideration.

It is important to note that the work undertaken on the SA has been developed alongside the compilation of an extensive set of evidence base documents to support plan preparation. These include a Habitats Regulations Assessment (HRA) and a Strategic Flood Risk Assessment (SFRA). The findings of these documents were considered in the plan making process alongside the SA at each relevant stage.

A summary of how the SA has been integrated into the Plan is shown in Table 3.1 below

Table 3.1: Integration of the SA	
SA Appraisal Stage	How the Joint Plan and SA was approached
Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope	
A1 Identify other relevant policies, plans and programmes, and sustainability objectives	Tasks A1 to A5 were undertaken in the SA scoping report. This provided a baseline, policy context and an appraisal framework against which to appraise the MWJP.
A2 Collect baseline information	
A3 Identify issues and problems	
A4 Develop the SA framework	
A5 Consult the consultation bodies on the scope of the SA report	
Stage B: Developing and refining alternatives and assessing effects	
B1. Test the Local Plan objectives against the sustainability appraisal framework	Task B1 was first undertaken in the SA update report published at Issues and Options stage. The appraisal and consultation on the Issues and Options help to shape the preferred options of the Joint Plan.
B2. Develop the Local Plan options including reasonable alternatives	Task B2 was undertaken in the SA update report published at Issues and Options stage. Further assessment of additional alternative Options was presented in a further SA Update Report and published alongside the assessment of preferred Options. Several SA addenda were also produced which tested alternative policies
B3. Evaluate the likely effects of the Local Plan and alternatives	

Table 3.1: Integration of the SA	
SA Appraisal Stage	How the Joint Plan and SA was approached
	<p>and policy wording and the results were fed back into MWJP development.</p> <p>Task B3 was undertaken together with stage B2 (using an SA Framework) in the SA update report published at Issues and Options. Further assessment of additional alternative options generated through consultation were presented in a further SA Update Reports and published alongside the Assessment of Preferred Options.</p> <p>The Plan has been updated through five separate iterations, with each iteration accompanied with a SA addendum report, which appraised these changes.</p>
B4. Consider ways of mitigating adverse effects and maximising beneficial effects	Mitigation measures were proposed in the SA Update Report at Preferred Options and are further developed in section 6.8 of the SA Report.
B5. Propose measures to monitor the significant of implementing the Local Plan	Some initial proposed monitoring measures were presented in the SA Update Report at Preferred Options stage and are more fully developed in chapter 8 of the SA Report.
Stage C: Prepare the sustainability appraisal report	
This report has been prepared to meet the requirements of SEA Regulations in relation to producing and Environmental Report and national policy as it relates to sustainability appraisal (see section 2.1 above).	
Stage D: Seek representations on the sustainability appraisal report from consultation bodies and the public	
Representations on the publication was sought at the publication stage of the Plan and was formally submitted to Planning Inspectorate in November 2017. Following examination, a number of changes have been proposed and have been assessed against the SA framework.	
Stage E: Post Adoption Reporting & Monitoring	
E1. Prepare and publish post-adoption statement	This document
E2. Monitor significant effects of implementing the Plan	TBC
E3. Respond to adverse effects	TBC

4. How the opinions of consultation bodies and the public have been taken into account

Introduction

The SEA Directive requires consultation at various stages of the process and the responses to consultation to be taken into account during the preparation of the plan or programme and before its adoption. At each stage of the Plan preparation, the SA work has been publicly consulted on, with statutory consultees (Environment Agency, Historic England and Natural England), the general public and other interested parties.

The consultation undertaken has been summarised below:

Scoping Report

The Scoping Report was consulted on between May and June 2013. This process helped to inform how the sustainability appraisal was carried out, including how social and economic factors were to be taken into account. Statutory consultees (Natural England, Environment Agency and Historic England) consulted on the Scoping Report along with other consultees within the database.

Everyone in the Consultation database were consulted on the SA Scoping report as was produced alongside the MWJP First Consultation document. In total 43 comments were received on the MWJP, which included a specific question on the SA

In addition, two consultation events were held, which comprised of workshops involving a number of technical stakeholders who had the opportunity to comment on the SA objectives, site assessment identification and assessment methodology. In total 297 representations were made in relation the SA Scoping Report and site assessment identification and assessment methodology.

Joint Minerals and Waste Plan Sustainability Appraisal Workshop

In order to provide core technical stakeholders with an early opportunity to get involved in the preparation of the Minerals and Waste Joint Plan, two technical consultation events were organised. These focused on the Sustainability Appraisal Scoping Report, specifically the draft sustainability appraisal objectives, sub-objectives and indicators, as well as the draft site assessment methodology.

The outcomes of the workshops were taken into account and resulted in the addition of new indicators and the rewording of SEA objectives. These have been outlined in the final Site Identification and Methodology Report and the Consultation Outcomes Report.

Issues and Options

A SA was produced as part of the issues and options stage of the Plan, which was consulted on between February and April 2014. A total of 2084 comments were received from 332 respondents, of which 29 comments were received in relation to the SA. The policy options presented in the Issues and Options consultation document, along with the Plan's draft vision and objectives, were assessed using the 17 objectives set out in the SA Framework.

Supplementary Sites

Following the publication of the of the Issues and Options consultation in February 2014, a number of new sites and amendments to existing proposals were received. This update led to the need for and additional consultation held between January and March 2013.

Preferred Options

The preferred options stage presented new draft planning policies for minerals and waste and identified possible new sites for minerals and waste development, which the Councils considered might have been suitable. The consultation period ran from November 2015 through to January 2016, and an accompanying SA report was also consulted on during the same period.

Publication Draft

The publication draft was consulted on alongside the SA report during July to September 2017. The first set of proposed changes were undertaken to provide an opportunity for representations to be made regarding the legal compliance and the 'soundness' of the Addendum of proposed changes on the minerals and waste joint plan prior to submission for examination in public. A total of 143 comments were received from 37 respondents.

Examination

The Minerals and Waste Joint Plan was submitted to the Planning Inspectorate in November 2017, with a number of hearings taking place during the spring of 2018, and further hearings were held in January 2019. Following these hearings, a series of proposed main modifications were made and have been consulted on. Updates included modifications identified in the Authorities responses to the MIQs and discussed at the examination hearings along with extra modifications suggested by the Inspector

In total there have been four addendums which have been appraised and have been accompanied by an updated SA and HRA report. A summary of each of these addendums has been detailed below:

- July 2018 - Addendum of Additional Changes and Draft Main Modifications to the Publication Draft – post hearing March - April 2018;
- November 2018 - Addendum of Additional Changes and Draft Main Modifications to the Publication Draft – post hearing March - April 2018;
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5. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with

The SEA Directive requires 'reasonable alternatives' to be taken into account. Sustainability considerations have been taken into account throughout the development of the Plan. Early drafts and subsequent iterations of the Plan (including visions and objectives, policies and sites) have been subjected to a SA. At each stage the likely effects have been of emerging options were appraised against the SA Framework.

To review alternatives, the objectives of the Joint Plan were considered against a scenario where no plan would be adopted. The 'no plan' option gave way to a greater level of uncertainty as it was assumed that planning decisions would primarily be made using the NPPF and the National Policy for Waste (NPPW). It was deemed that without a Plan, it would be highly unlikely that sustainability would be fully factored into planning decisions. It was therefore considered that the 'implement the plan option' should be selected.

In addition, a number of other high level alternatives were considered and considered against alternative options. These included the following policy themes

- Broad geographical approach to supply of aggregates;
- Overall distribution of sand and gravel provision;
- Key spatial principles for oil and gas;
- Overall approach to the waste hierarchy; and
- Strategic role of the Plan area in the management of waste.

Table 5.1 below shows the preferred approach of the Plan for the Policy themes listed above. Further details on each of the policy options are in section 5.3 of the SA report.

Policy Theme	Preferred Approach
Broad Geographical Approach to Aggregates	<p>The preferred approach is a combination of Options 1 (aggregates only from outside the National Park / AONBs / City of York) and 2 (aggregates from NYCC area plus City of York) with elements of additional options 3 (only source from National Park / AONBs where demand can't be met from areas outside) and 8 (which is option 1 or 2 with the addition of support for use of excess crushed rock from building stone sites in National Park / AONBs).</p> <p>This approach has been chosen as it broadly accords with SA findings and would provide a positive approach to the supply of aggregate, recognising the wide distribution of high level constraints, would be generally consistent with national policy and helps support supply of aggregate from locations near to where they are used.</p>

Table 5.1: Preferred Policy Approaches

Policy Theme	Preferred Approach
Overall distribution of sand and gravel provision	<p>The preferred approach is based on option 1 (northwards sand and gravel – southward sand and gravel – building sand provision split at a ratio of 50:45:50). This was selected as it was considered to best reflect the evidence set out in the Local Aggregate Assessment, as historic supply patterns and the objective of seeking to achieve a good fit between locations of supply and locations of demand for sand and gravel, taking into account the wide geographical area supplied with sand and gravel from North Yorkshire.</p>
Key spatial principles for oil and gas	<p>The selected approach for Oil and Gas development, represents a combination of elements of a number of initial options, including elements of options 3 (Support exploration across the whole plan area),4 (Support gas development across the plan area, providing a high level of mitigation) and 6 (planning permission will be granted where there are no adverse effects on communities or the environment), but has been revised and updated significantly since preferred options stage to reflect emerging information relating to unconventional hydrocarbons, particularly shale gas.</p> <p>The selected option is considered to represent an approach which supports the principle of oil and gas development in appropriate locations, reflecting national policy, whilst also acknowledging distinctions between the main forms of hydrocarbons development that could come forward, as well as the range of important constraints that exist in the Plan area the full assessment of this alternative is shown in chapter 6 of the SA Report.</p>
Overall Approach to Waste Hierarchy	<p>The preferred approach is based on option 4 (support in principle to proposals which enable the re-use, recycling and composting of waste). The selected option is considered to provide strong encouragement to moving waste up the hierarchy whilst providing flexibility for a range of waste management processes to be involved in achieving this.</p> <p>Whilst the SA favoured option 5 (stronger encouragement to dealing with waste further up the hierarchy), option 4, which is similar, is considered to be more in line with national policy, which does not require the applicant to</p>

Table 5.1: Preferred Policy Approaches	
Policy Theme	Preferred Approach
	demonstrate that it is not practicable to manage waste further up the hierarchy, when bringing forward specific proposals.
Strategic role of the Plan area in the management of waste	<p>The preferred approach is based on a combination of elements of Options 1 (ensure that capacity is provided across the Plan area at a level sufficient to meet identified needs for waste arising in the area whilst allowing for current known levels of imports to continue) and 3 (same approach as for Option 1 or 2 but would in addition make an express commitment that the Plan would make provision for the management of waste arising within that part of the Yorkshire Dales National Park falling within NYCC).</p> <p>This combination of options was selected as it was considered to best reflect national policy objectives of community responsibility for the management of waste near to where it arises, whilst also acknowledging existing inter-relationships and the fact that market forces will also play a significant role in determining where some waste is managed, which may be outside the Plan area.</p>

6. How will the environmental and sustainability effects be monitored?

Monitoring the effects of the policies set out in the Joint Plan will be important, as it will ensure that policies are having their intended effects and will help to identify whether a review is required. The need for review may arise as a result of factors such as a significant change in circumstances, including the availability of important new evidence, or a major change to national policy, or as a result of changing and unforeseen development pressures in an area.

A monitoring framework has been prepared to accompany the Joint Plan and is provided within Appendix 3 of the Plan.

The Planning and Compulsory Act 2004, as amended by the Localism Act 2011, requires local planning authorities to prepare reports containing information on how plan production is progressing and the extent to which policies set out in those plans are being achieved. This report, known as an Authority Monitoring report (AMR), will be made publicly available. Although the Plan has been produced jointly, there is no requirement to produce a joint monitoring report.

Under the European Strategic Environmental Assessment Directive, there is a requirement to monitor the 'significant environment effects' of the Plan. Throughout the SA process significant environmental effects have been identified, in order to for effects to be avoided, minimised or mitigated, however due to the nature of minerals and waste developments, it is likely that some effects will still remain. Indicators to monitor these have been developed throughout the SA process, which are set out in Appendix 3 of the Plan. In addition, policies have been linked to relevant SA objectives, and targets, methods and trigger points have been established, in order to monitor significant effects.

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