

# **West Sussex Waste Local Plan**

Sustainability Appraisal Report: Non-Technical  
Summary

## **Proposed Main Modifications**

**November 2013**



Working in Partnership



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## **1. Introduction**

- 1.1. West Sussex County Council and The South Downs National Park Authority ('The Authorities') have prepared a Waste Local Plan ('The Plan') which will cover the period to 2031 and replace the development control policies in the Revised Deposit Draft Waste Local Plan (2004). It includes a county-wide vision and strategic objectives together with use-specific policies including strategic waste sites and generic development management policies.

## **2. Purpose of Sustainability Appraisal**

- 2.1. Legislative changes enacted under the Planning and Compulsory Purchase Act 2004, require all planning policy documents to be evaluated in terms of the likely social, economic and environmental implications. This means that a sustainability appraisal (SA) is required for each new document.
- 2.2. Although the requirements to carry out SA and SEA are distinct, it is possible to satisfy both through a single appraisal process. Accordingly, a SA, incorporating the requirements of the SEA Directive, of the Plan is required with the final SA report indicating how the requirements of the SEA Directive have been met.
- 2.3. A Non-Technical Summary (NTS) of the SA Report is required by the SEA Directive to summarise the SA and how it has informed the Plan.

## **3. Waste Local Plan and SA Report**

- 3.1. The draft Plan was available for comment between May and August 2012 and the draft SA Report was subject to consultation between August and September 2012. Comments from these recent consultations informed the Proposed Submission Draft Plan (November, 2012) and accompanying SA Report (November, 2012). Any significant<sup>1</sup> changes to the Plan arising from the consultations or from the recommendations of the draft SA Report are required to be re-assessed against the SA objectives and are reported in the full report. The aim is that any amendments will help overcome any identified negative effects on SA objectives, and help the overall effects of the Plan on sustainable development.
- 3.2. The Proposed Submission Draft Plan and SA Report was published for a period of formal representations on the 'soundness' of the Plan from 9<sup>th</sup> November 2012 to 11<sup>th</sup> January 2013. Following consideration of the representations minor amendments have been made to the Plan it will be formally submitted to the Secretary of State for examination in March 2013. No significant changes were made to the Submission Plan that necessitated re-appraisal.
- 3.3. The Waste Local Plan was independently examined between 2nd and 12th July 2013 by an Inspector who was appointed by the Secretary of State. The Inspector has indicated that in order to make the Plan 'sound' a number of main modifications are required which will be subject to a 6 week period of

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<sup>1</sup> Amendments that are likely to be 'significant' in terms of their potential impact (i.e. constituting a change in strategy or policy).

consultation between 4th November to 16th December 2013. The Inspector will consider the comments before issuing his report.

- 3.3. An SA of any 'significant' (i.e. resulting in a change to strategy or policy) amendments to the policies is also required to assess the sustainability of the proposed changes to the policies to accompany the main modifications consultation document.
- 3.4. SA Reports were published at Regulation 18, 19 and 22 stages. Rather than re-publish the entire content of the SA Report, this document is an addendum to the Regulation 22 SA Report (March, 2013) and provides a summary of the main changes the modifications have made to the SA 'scoring' as a result of the changes.
- 3.5 The implementation of the Plan will be subject to monitoring and review. This will include measuring the sustainability performance of the Plan against the SA framework and may influence future revisions of the plan.

## 4. The Sustainability Appraisal Process

- 4.1. Government guidance ('A Practical Guide to SEA', 2005) suggests that SA and SEA is carried out according to a five stage process. Table 1 sets out these stages and summarises the work that has been carried. More information can be found in Chapter 1 of the SA Report (March, 2013).

<b>Table 1: The SEA/SA Process</b>	
<b>SEA/SA Stages</b>	<b>Commentary</b>
<b>Stage A:</b> Setting the context and objectives, establishing the baseline and deciding on the scope	<p>The first Scoping Report was prepared in 2006. This sets out the context, objectives, baseline data and identifies key issues.</p> <p>The Scoping Report was updated in 2009 and has been recently updated again to reflect changes to national policy, the creation of the South Downs National Park and the fact that the SA now only covers waste. Consultation took place on the updated Scoping Report from 15<sup>th</sup> August to 27<sup>th</sup> September 2012.</p>
<b>Stage B:</b> Developing and refining alternatives and assessing effects	<p><u>Strategic Options and Policies</u> Options were developed in the Minerals and Waste Core Strategy Preferred Option (2007) and the Strategic Waste Sites Allocations DPD (2007) which were both subject to SA and consulted upon in 2007.</p> <p>Background Paper 2: Waste Arisings and Waste Management Capacity (December, 2009) set out further strategic options for waste.</p> <p>The draft SA Report (August, 2012) included an assessment of options which were based on a combination of options in the documents above.</p> <p><u>Sites</u> Site options were presented in Background Paper 6: Strategic Waste Sites (December, 2009). Appraisal of site options carried out in 2010 and informed the short list of sites. The Strategic Site Allocations were re-appraised and the results were published in the Draft SA Report (August, 2012).</p>

	<p><u>Development Management Policies</u> No options were developed but the policies in the draft Plan were appraised in the SA Report (November, 2012) to inform the policies in the Proposed Submission Draft Plan.</p> <p><u>Proposed Main Modifications</u> An SA of the proposed main modifications to the Plan was undertaken during July and August 2013 after the hearing sessions.</p>
<b>Stage C:</b> Preparing the Environmental Report	<p>Draft SA Report (August, 2012)</p> <p>SA Report (November, 2012)</p> <p><b>Proposed Main Modifications SA Report (August, 2013)</b></p>
<b>Stage D:</b> Consulting on the draft plan or programme and the Environmental Report	<p>Consultation on the draft Plan May to August 2012 and consultation on the draft SA Report between August and September 2012.</p> <p>Period for formal representations on the Proposed Submission Draft Plan and accompanying SA Report between November 2012 and January 2013.</p> <p><b>Consultation on the Proposed Main Modifications and accompanying SA Report between 4<sup>th</sup> November and 16<sup>th</sup> December 2013.</b></p>
<b>Stage E:</b> Monitoring the significant effects of implementing the plan or programme on the environment	<p>Measures for monitoring are set out in the Draft SA Report (August, 2012) and the SA Report (November, 2012). Monitoring to take place after the plan has been adopted.</p>

## 5. Baseline, Context, and Sustainability Objectives

### Plans, Policies and Programmes

- 5.1 A large number of plans, programmes, and strategies were reviewed to identify their relevance to planning for waste in West Sussex. A summary of the key messages from the analysis and its implications for the Plan and the SA is presented below in table 2. The findings of the review ensure that the Plan meets the objectives and requirements of relevant national, regional, and local plans, strategies, and guidance. More information can be found in Chapter 2 and Appendix B of the SA Report (March, 2013).

<b>Table 2: Summary of Key Messages from the Analysis of Plans, Policies and Programmes</b>	
<b><u>Environmental</u></b>	<ul style="list-style-type: none"> <li>○ Reduce waste production, increase recycling, increase recovery of value from waste and reduce the amount going to landfill (in accordance with the waste hierarchy);</li> <li>○ Reduce greenhouse emissions and adaptation to climate change;</li> <li>○ Protect biodiversity;</li> <li>○ Protect air, soil and water;</li> <li>○ Reduce flood risk;</li> <li>○ Secure high quality design;</li> </ul>

- Promote low carbon and renewable energy sources;
- Encourage effective use of land and use of previously developed land;
- Protect the historic environment;
- Conserve and enhance the character and quality of the landscape;
- Minimise the movement of waste, promote transport of waste by water and rail and maximise use of strategic lorry route and advisory lorry route;
- Conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park.

**Economic**

- Support sustainable economic development to deliver infrastructure;
- Maintain stable levels of employment in the local waste industry.

**Social**

- Protect public health, amenity and well-being;
- Promote opportunities to enjoy the National Park and promote opportunities for the understanding and enjoyment of the special qualities of the park by the public.

**Baseline Data**

- 5.2. Environmental and sustainability data were collected to understand the current state of the environment and to predict the potential effects of the plan policies.
- 5.3. An analysis of the baseline data and the review of relevant plans, policies, and programmes, from the previous stages of the SA process, helped identify the key economic, social and environmental issues for West Sussex. It also provided a basis for predicting and evaluating the effects of options, sites and policies and sets a baseline for future monitoring.
- 5.4. There are key existing sustainability problems related to the broad issues outlined above in relation to waste development.
- Landscape tranquillity;
  - Flooding;
  - Waste generation;
  - Predominance of landfill over more sustainable methods of waste management;
  - Traffic growth;
  - Contaminated Land;
  - Climate change: warmer, wetter winters; hot dry summers, increase in flash flooding;
  - Impact on biodiversity and geodiversity;
  - Impact on air quality;
  - Impact on water quality;
  - Greenhouse gas emissions.

## **6. Sustainability Appraisal Framework**

### **Sustainability Objectives**

- 6.1. Key sustainability objectives were identified to form the Sustainability Appraisal Framework, against which the main strategic options, policies and sites in the Plan were tested.

- 6.2. The SA objectives were initially developed in 2006 and have subsequently been updated to reflect: the fact that the SA now only relates to waste; changes in national policy; and to provide more clarification and reduction in duplication between objectives. The objectives are:
- A. To protect and, where possible, enhance health, well-being and amenity of residents and neighbouring land uses.
  - B. To protect and, where possible, enhance the amenity of users of the PROW and other users of the countryside including transport networks.
  - C. To ensure the risk of flooding is not increased.
  - D. To provide an adequate supply of suitable waste facilities to sustain economic growth and maintain social welfare.
  - E. To protect and, where possible, enhance the vitality and viability of the local economy.
  - F. To minimise transport of waste by roads. Where road use is necessary, to reduce the impact by promoting use of the Lorry Route Network.
  - G. To protect and, where possible, enhance landscape and townscape character.
  - H. To conserve and, where possible, enhance the historic environment.
  - I. To make the best use of previously developed land and minimise the loss of best and most versatile land and strategically significant mineral resources.
  - J. To protect and, where possible, enhance biodiversity and geodiversity.
  - K. To reduce the amount of waste and increase the reuse and recycling of materials and encourage, where possible, the production and use of secondary materials.
  - L. Promote recovery of value from residual waste and reduce the amount of waste going to landfill for disposal
  - M. To reduce air pollution and to protect and, where possible, enhance air quality.
  - N. To protect and, where possible, enhance soil quality.
  - O. To protect and, where possible, enhance water resources, water quality and the function of the water environment.
  - P. To reduce the emissions of greenhouse gases and promote the use of renewable and lower carbon energy sources.

### **Applying the Framework**

- 6.3. The framework was used to assess the potential impact of the Plan, including; secondary, cumulative, synergistic, short, medium and long term, permanent, temporary, positive and negative effects. The SA Report also includes a cumulative assessment of the strategic policies and the development management policies.
- 6.4. The extent to which a harmful impact can be mitigated against was also addressed in the SA Report. It is assumed that if an impact could (reasonably) be satisfactorily mitigated by a condition or legal agreement at

the planning application stage, that this is reflected in the SA. Any potential for enhancement is also identified. For more information see Chapter 3 of the SA Report (March, 2013).

## **7. The Appraisals**

### **Strategic Options**

- 7.1.1. Specific options were identified in the draft Minerals and Waste Core Strategy (2007) and were subject to SA which was published for consultation between January and March 2007. Options were also set out in Background Paper 2: Waste Arisings and Waste Management Capacity (December, 2009) and subject to informal consultation between October 2008 and February 2009. The options presented in the SA report have been developed from the options in both documents and represent 'reasonable' alternatives against which comparisons can be made.
- 7.1.2. The purpose was to appraise the sustainability of the options, highlighting the differences in order to identify a preferred option. The assessment of the strategic options can be found in Chapter 4 of the SA Report (March, 2013) and online at: [www.westsussex.gov.uk/mwdf](http://www.westsussex.gov.uk/mwdf).

### **Draft Plan Policies**

- 7.1.3. The emerging draft Plan policies were assessed to determine how the policies performed in terms of sustainability. The appraisal findings informed the development of the Proposed Submission Draft Plan. The assessment of the strategic and use specific policies can be found in the draft SA Report (August, 2012). This recommended the following:
- Policy W1: Duplicates part of Policy W8;
  - Policy W2: 'Important contribution' needs defining;
  - Policy W3: 'Well-related' needs defining;
  - Policy W4: 'Well-related' needs defining. Policy is also similar to W3 (Built Waste Facilities) and therefore could be incorporated into it;
  - Policy W5: Include reference to a 250 metre buffer zone. No distinction between protected landscapes and the rest of the countryside in terms of locating site;
  - Policy W7: No site location criteria;
  - Policy W8: Duplicates part of Policy W1.

### **Proposed Submission Policies**

- 7.1.4. Following the publication of the Draft Plan (June, 2012) and Draft SA Report (August, 2012) the policies were amended to take into account comments from the Draft Waste Local Plan consultation and the Draft Sustainability Appraisal Report. Where comments from the Draft Sustainability Appraisal Report were not taken into consideration, justification was provided.
- 7.1.5. Although changes were made to most of the policies, only three policies were subject to re-appraisal as the changes were considered to be 'significant'. Summaries of which are provided below. For more information, please see Chapter 5 of the SA Report (March, 2013):



- **Policy W2 (Safeguarding Waste Management Sites and Infrastructure):** The policy was amended to include reference to 'infrastructure' as well as 'existing waste management sites'. This would include facilities at other sites, such as wharves and railheads that may play an important role in the movement of waste materials. It was considered that this enhanced the sustainability of the policy by ensuring that rail and water infrastructure is not lost to other uses.
- **Policy W3 (Location of Built Waste Management Facilities):** The policy was amended to make reference to sites being 'within the Areas of Search', rather than 'within or close to the main urban areas in the Areas of Search' which implies a broader area. Part (b) (iii) of the policy was also added to enable sites to come forward if they are in association with an agricultural use. Following re-appraisal, it was concluded that although the development of waste facilities on agricultural units could result in sites in more rural locations within the Areas of Search, it would help the rural economy. Mitigation would be required through the application of development management policies W11: Character and W13: Protected Landscapes and the High Quality Waste Facilities Supplementary Planning Document. The policy also includes specific reference to the need to explore the viability of transporting waste by rail or water ensures which would encourage more sustainable modes of transport.
- **Policy W4 (Inert Waste Recycling):** The policy was amended to allow inert waste recycling sites on landfill sites as well as mineral workings. It also included additional wording to encourage the use of rail or water transport. Following re-appraisal, it was concluded that by enabling inert recycling at landfill sites, this may encourage the continuation of the landfill operations. The length of operations would therefore need to be controlled by condition at planning application stage as a mitigation measure.

### **Submission Plan Policies**

- 7.1.6. Following the 'period of representations' at regulation 19 stage, only minor modifications have been made to the Waste Local Plan: Submission (March, 2013). No significant changes were made to the Submission Plan that necessitated re-appraisal.

### **Examination in Public- Modifications**

- 7.1.7. During the Examination in Public and in particular the public hearing sessions, the Inspector indicated that a number of modifications to the Plan were likely to be required in order for the Plan to be found sound. As a result the Authorities have proposed a number of changes to the policies in the Plan:
- **Policy W1 (Need for Waste Management Facilities):** Although the policy wording has been reworded from the Submission Plan (March, 2013), the overall purpose of the policy remains the same in that it seeks to provide an adequate supply of suitable waste facilities to deal with waste generated in the County, in accordance with the objectives of net self-sufficiency and 'zero waste to landfill'. The main change to this policy is that it now includes reference to being consistent with net self-sufficiency and 'zero waste to landfill'

therefore allowing for some minor cross-boundary movements. Reappraisal of the policy has not resulted in any changes to the assessment ratings as minor cross boundary movements are considered to be consistent with sustainability principles as waste is expected to travel to the nearest appropriate location.

- **Policy W3 (Location of Built Waste Management Facilities):** The policy still supports an adequate supply of suitable built waste facilities for the re-use, recycling and treatment of materials, driving waste up the hierarchy but the amendments give priority to allocated or permitted sites which is preferable in terms of spatial strategy. Reappraisal of the policy has resulted in positive ratings to objectives C (Flooding) and J (Biodiversity) because giving preference to allocated and permitted sites means that these aspects have already been assessed, to a certain extent, through the site selection process.
- **Policy W8 (Disposal of Non-Inert Waste to Land):** The amended policy gives greater priority to allocated and existing landfill sites which is more positive in terms of sustainability terms because some of the impacts relating to some of the objectives have already been assessed, to a certain extent, through the sites assessment process. The Policy restricts to some degree an adequate supply of suitable waste facilities in the short term. Landfill is essential in order to enable disposal of residues from other waste treatment processes that are higher up the waste hierarchy.

The SA scoring for landscape objective (G) has changed from '---' to '-NN' because, the policy gives priority to existing and allocated sites which have already been assessed, to a certain extent, against this aspect and displacement of waste from these by restricting supply towards new built facilities that can be located in more appropriate locations is likely to be more beneficial over the lifetime of the Plan. Policy also now includes explicit reference to Policy W13 (Protected Landscapes) giving emphasis to this aspect.

- **Policy W9 (Depositing of Inert Waste to Land):** The policy aims to move waste up the hierarchy by restricting inert landfill and encouraging inert waste to be put to a more beneficial use through 'recovery'. In this respect, the Policy restricts, to some degree, an adequate supply of suitable waste facilities in the short term. Reappraisal of the policy has resulted in changes to scoring against some of the objectives. Objectives A, D, E, G, H and L score more positively because 'recovery' operations, by their nature, put inert waste to beneficial uses. In terms of the transport objective (F), recovery operations are dictated by where the need arises and not necessarily close to waste arisings. They may not therefore be optimally located with respect to transport routes. However, the larger number of 'recovery' sites could also provide a broad spatial distribution of sites across the county which would help to ensure that inert waste is deposited at the nearest appropriate location and therefore reduce travel miles. The assessment therefore gives this a neutral score. Policy now provides more clarification that it applies to residual material following recycling and/or recovery.

- Policy W10 (**Strategic Waste Site Allocations**): The policy has been amended slightly since the Submission Plan but the purpose of the policy has not changed. There has been no change to the SA scoring as a result of the amendments to this policy.
- Policy W13 (**Protected Landscapes**): The change to the policy to delete clause (d) has no effect on the scoring against the objectives particularly as this is now picked up within Policy W9.

## 8. Next Steps

- 8.1. The Authorities will undertake formal consultation on the Waste Local Plan and modifications between Monday 4 November – Monday 16 December 2013. Representations will be submitted to the Inspector whom will decide whether further public hearings are required or whether he is able to publish his final report. If it is found 'sound', the Plan will be adopted by the Authorities.