

The logo for 'place services' is located in the top left corner. It consists of a solid blue square with the words 'place' and 'services' stacked vertically in white, lowercase, sans-serif font.

**Essex County Council & Southend-on-Sea Borough Council  
Replacement Waste Local Plan: Pre-Submission**

**Sustainability Appraisal and Strategic Environmental Assessment**

**Environmental Report: Annex E – Consultation Responses**

**February 2016**

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# 1 Introduction

## 1.1 Background

Essex County Council (ECC) and Southend-on-Sea Borough Council (SBC) commissioned Place Services to undertake an independent Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) on the Replacement Waste Local Plan: Pre-Submission 2016.

This document is Annex A to the Environmental Report and includes a description of those plans and programmes which are relevant to the Replacement Waste Local Plan and the SA/SEA process. A list of them has been included within the main Environmental Report.

## 1.2 Consultation Responses

Sustainability Appraisals (SA) are required to be made available for public consultation to accompany Local Plans. Planning Practice Guidance (PPG) states that,

*‘The local planning authority must consult the consultation bodies and other parties who, in its opinion, are affected or likely to be affected by, or have an interest in, the decisions involved in the assessment and adoption or making of the plan. Further details on consultation procedures are set out in regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004*

*The local planning authority may also want to consult those they are inviting representations from, as part of the development of the Local Plan itself. The sustainability appraisal report, including the non-technical summary, must be published alongside the draft Local Plan for a minimum of six weeks.’*

At the Revised Preferred Approach (2015) stage of the Waste Local Plan, two consultation responses were received specifically related to the Sustainability Appraisal. These are documented in the following table, alongside comments and the resulting action:

**Table 1: Comments made by Statutory Consultees on Revised Preferred Approach SA Environmental Report 2015**

Consultee	Comment	Response / Action
Natural England	Natural England is of the opinion that the accompanying Sustainability Appraisal and Habitats Regulations Assessment have adequately addressed all of the relevant issues.	Noted. No actions necessary.
Basildon Borough Council	The Council objects to the decision not to undertake Sustainability Appraisal (SA) on each Area of Search as stated in section '5.1 Areas of Search'. Areas of Search are recognised as specific areas for consideration within the Revised Preferred Approach and they have established area boundaries. Therefore to ensure compliance with legislation SA should be applied to these areas. It will also help inform the selection of the Areas of Search, if they progress to the next stage of the RWLP, because SA provides a more detailed level of assessment. Furthermore whilst the principle of development for B2 and B8 uses have been established in parts of these areas, there has been no prior consideration as to the impact of sui generis uses such as waste facilities on many of these sites.	<p>Within the Plan, Areas of Search have been designated where, in principle, the Waste Planning Authorities may support waste management development outside of the allocated sites. The focus of the Areas of Search has been on employment land within industrial estates that have existing planning policy support for B2 (General Industry) and B8 (Storage or Distribution) uses under the Use Class Order. Under this Order, waste management facilities are considered sui generis ('in a class of its own') and therefore do not fit under a specific use class. It is, however, considered that employment land designated for B2 and B8 uses represent the most suitable land as many waste management operations are similar in nature and impact to industrial activities and storage and distribution facilities.</p> <p>Unlike site allocations, Areas of Search have not been promoted by landowners for a particular waste management use, exact site boundaries are not defined, and they are not designated to manage a specific waste stream. The rationale behind this approach is to ensure that Areas of Search are able to respond flexibly to the market and as such, Areas of Search have been chosen using bespoke selection criteria found within the Plan's evidence base document, 'Areas of Search: Assessment and Methodology.' This methodology recognises that only a high-level 'in principle' assessment has been made of an Area of Search's suitability for waste development and proposals will</p>

Consultee	Comment	Response / Action
		<p>be required to demonstrate conformity with the Development Plan by way of a full application. The SA of the Revised Preferred Approach RWLP (2015) explored whether the criteria used by the WPAs to identify suitable areas for potential future waste management facilities was a sustainable approach, and explored reasonable alternative approaches to this methodology. Qualifying sites or areas have been selected in line with the criteria of the assessment methodology, which has been deemed the most sustainable approach in light of all reasonable alternatives explored at the revised Preferred Approach stage (2015) and Pre-Submission Waste Local Plan.</p> <p>The rigorous assessment of the sustainability of the specific Areas of Search has not been required. The SA assesses the impacts of the Plan's allocated sites, which should they be forthcoming, will sufficiently meet all identified shortfalls in capacity for waste in the Plan Area where practicable. With this in mind, specific facility types can not be identified on any given Area of Search and neither can any requirement for waste management facilities in the first instance.</p>
	<p>The report does not reference the most up to date version of the emerging Basildon Borough Local Plan. It should refer to the Basildon Borough Local Plan Core Strategy Revised Preferred Options (Dec 2013). As such, the Council questions whether the Revised Preferred Approach and the Sustainability Appraisal have adequately considered the in-combination effects of the RWLP with other emerging Local Plans. Also the main aims and objectives for this refers to the Local Development Framework when it should say Local Plan.</p>	<p>Noted. The SA of the Pre-Submission Waste Local Plan has updated all District / Borough and City Council Local Plan progress within Annex A - Plans and Programmes and considered the content of these where relevant to the Waste Local Plan.</p>

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