

1 Response Paper – Sustainability Appraisal Environmental Report February 2021

Purpose of Sustainability Appraisal

- 1.1 The legislative requirement for Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) emanates from a high level national and international commitment to sustainable development. The most commonly used definition of sustainable development is that drawn up by the World Trade Commission on Environment and Development in 1987 which states that sustainable development is:

‘Development that meets the needs of the present without compromising the ability of future generations to meet their own needs’
- 1.2 This definition is consistent with the themes of the NPPF, which draws upon The UK Sustainable Development Strategy Securing the Future’s five ‘guiding principles’ of sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.
- 1.3 The aim of the SEA is to identify potentially significant environmental effects created as a result of the implementation of the plan or programme on issues such as ‘biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors’ as specified in Annex 1(f) of the Directive.’
- 1.4 SA examines the effects of proposed plans and programmes in a wider context, taking into account economic, social and environmental considerations in order to promote sustainable development. It is mandatory for Local Plans to undergo a Sustainability Appraisal in accordance with the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, and in accordance with paragraph 165 of the NPPF.
- 1.5 Whilst the requirements to produce a SA and SEA are distinct, Government guidance considers that it is possible to satisfy the two requirements through a single approach providing that the requirements of the SEA Directive are met. This integrated appraisal process will hereafter be referred to as SA.

Summary of Position Prior to March 2021 Regulation 18 (Reg 18) Consultation

- 1.6 The adopted Minerals Local Plan 2014 was subject to SA as required by the above legislation. This consisted of a number of documents that were produced iteratively throughout the plan-making process, beginning with an initial scoping report in 2005 through to the SA/SEA Environmental Report November 2012 supporting the Pre-Submission version of the currently adopted MLP, and an SA/SEA Addendum on Main Modifications published in 2014.

- 1.7 Carrying out SA work throughout the plan preparation was part of an integrated approach and has ensured that the sustainability considerations identified were addressed through subsequent iterations of the Minerals Local Plan from preliminary work to adoption in 2014.
- 1.8 This MLP Review will need SA to inform and justify revisions alongside reasonable alternative approaches if required. The progression of the MLP 2014 was influenced by an assessment of its sustainability implications and effects, and any changes to the MLP will also need such an iterative assessment.

Impact of Revisions to NPPF 2021

- 1.9 It is mandatory for Local Plans to undergo an SA in accordance with the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008 and as such any revision to the NPPF would not impact on the need for SA. NPPF Paragraph 32 sets out that local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements.

Issues Raised through March 2021 Reg 18 Consultation

- 1.10 A number of representations indicated that it was considered that the MLP Review SA 2021 identified all reasonable alternatives but no further detail was provided. A single issue was raised in relation to the SA, and this is discussed below.

Sustainable development should include the logging and sampling of workings prior to being destroyed through excavation

- 1.11 Through the Regulation 18 Consultation 2021, it was stated that the consideration of what was sustainable development should include the logging and sampling of workings as they progress. This would allow them to be recorded for posterity and as a record for future geological research which would include the further understanding of climate change in the past to elucidate current and future effects. It was further noted that geological deposits are destroyed by being taken away as a mineral resource.
- 1.12 The MWPA notes that when a site is considered for allocation, part of requested supporting information is a schedule of borehole logs taken from across the site. These borehole logs would be publicly available. In addition, when a mineral planning application is made the application would also often be supported by borehole log data taken from across the application site, which would also be publicly available. However, once works begin on a site, this is by way of a commercial operation, and the MWPA has no authority to request such information is recorded as part of the public record as it is commercially sensitive. The MWPA is also unable to grant public access to commercial operations. Whether members of the public would be allowed on site to provide

the opportunity to log and sample the mineral deposits as they are revealed during working would be a business decision made by the operator. Such requests would be required to be made to them.

Conclusion

- 1.13 A number of representations indicated that it was considered that the MLP Review SA 2021 identified all reasonable alternatives but no further detail was provided.
- 1.14 A single issue was raised in conjunction with the SA, which is that the concept of sustainable development should include the logging and sampling of workings as they progress as these are destroyed when they are taken away as a mineral resource. However, the MPWA notes that once works begin on a site, this is by way of a commercial operation. Whether members of the public would be allowed on site to provide the opportunity to log and sample the mineral deposits as they are revealed during working would be a business decision made by the operator. Such requests would be required to be made to them. As such, no amendment is considered to be required.

**Table 1: April 2021 Regulation 18 Consultation Responses to Sustainability Appraisal Environmental Report
February 2021**

ORGANISATION	ON BEHALF OF	SUSTAINABILITY APPRAISAL/SEA 2021	SUSTAINABILITY APPRAISAL/SEA 2021	ECC RESPONSE
Name of Organisation	Are you responding on behalf of another individual or organisation? - If Yes, Who?	1.Do you have any comments to make on the findings of the SA? If so, please provide any comments below:	Comments	
Runwell Parish Council (631132323)	Runwell Parish Council	No		
Thurrock Borough Council (97704900)	Thurrock borough Council		No additional comment.	
GeoEssex (538324742)			Sustainable development should include the logging and sampling of workings as they progress, to record them for posterity as a record for future geological research which would include the further understanding of climate change in the past to elucidate current and future effects. Geological deposits are destroyed by being	When a site is considered for allocation, part of requested supporting information is a schedule of borehole logs taken from across the site. These borehole logs would be publicly available. In addition, when a mineral planning application is made the application would also often be supported by borehole log data taken from across the application site, which would

			<p>taken away as mineral resource.</p>	<p>also be publicly available. However, once works begin on a site, this is by way of a commercial operation, and the MWPA has no authority to request such information is recorded as part of the public record as it is commercially sensitive. The MWPA is also unable to grant public access to commercial operations. Whether members of the public would be allowed on site to provide the opportunity to log and sample the mineral deposits as they are revealed during working would be a business decision made by the operator. Such requests would be required to be made to them.</p>
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ORGANISATION	ON BEHALF OF	SUSTAINABILITY APPRAISAL/SEA 2021	SUSTAINABILITY APPRAISAL/SEA 2021	ECC RESPONSE
Name of Organisation	Are you responding on behalf of another individual or organisation? - If Yes, Who?	2. Do you think the SA identifies all reasonable alternatives?	Comments	

Runwell Parish Council (631132323)	Runwell Parish Council	Yes	N/a	
W H Collier Limited (769297167/ 942768790)		Yes		
Thurrock Borough Council (97704900)	Thurrock Borough Council	Yes	No additional comment.	
Blackwater Aggregates (623162177)		Yes		
CEMEX (982058282)		Yes		
Gent Fairhead Aggregates (871678397)		Yes		
Resident (850344129)		Yes		
GeoEssex (538324742)		Not Sure	No comment	