

Sustainability Appraisal / Strategic Environmental Assessment of the West Berkshire Minerals and Waste Local Plan

Post Adoption Statement

December 2022

Introduction

The West Berkshire Minerals and Waste Local Plan (MWLP) was adopted by West Berkshire Council on 1 December 2022 and forms part of the Local Plan for the District.

In accordance with European¹ and national² legislation, development plans must be subject to the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) processes.

Sustainability Appraisal (SA) aims to predict and assess the economic, social and environmental effects that are likely to arise from implementing development plans. It is a process for understanding whether policies, strategies or plans promote sustainable development, and for improving them to deliver more sustainable outcomes.

The Strategic Environmental Assessment (SEA) aims to predict and assess the environmental effects that are likely to arise from plans, policies and strategies, such as the MWLP. It is a process for assessing and mitigating the negative environmental impacts of specific plans and programmes. For the purposes of the MWLP, the SEA process was incorporated into the SA process.

Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 (from hereon in referred to as the SEA Regulations) sets out the requirements with regard to the post adoption procedures of the SA/SEA. This statement has been prepared in accordance with this regulation.

In accordance with the SEA Regulations, this statement sets out the following:

- (a) how environmental considerations have been integrated into the Plan;*
- (b) how the environmental report has been taken into account;*
- (c) how opinions expressed in response to public consultation have been taken into account;*
- (d) the reasons for choosing the Plan as adopted, in light of the other reasonable alternatives dealt with; and*
- (e) the measures that are to be taken to monitor the significant environmental effects of the implementation of the Plan.*

¹ SEA Directive and Environmental Assessment of Plans and Programmes Regulations 2004

² Planning and Compulsory Purchase Act 2004

For clarity, the particulars of Regulation 16(4)(d) are not relevant in this case (how the results of consultations entered into under Regulation 14(4) have been taken into account).

The final SA/SEA Environmental Report and MWLP are available to view on the Council's website: <https://www.westberks.gov.uk/mwlp>

(a) How environmental considerations have been integrated into the MWLP

The SA/SEA process assesses environmental considerations and has been fully integrated into the plan-making process, with its findings being a key influence on the policy decisions made. When work on the MWLP began, it was decided that the SEA process would be incorporated into the SA process to fully assess the environmental, economic and social effects that are likely to arise from the options and subsequent policies being developed for the MWLP.

Stages of the SA/SEA

SA/SEA is made up of a series of stages. The first stage (Stage A) was the production of the Scoping Report which was published in August 2013 and then revised in November 2013. The Scoping Report sets out the background information and proposed strategic objectives used to appraise the MWLP in the context of SA.

The second stage, Stage B, is the development and refinement of options and policies and an assessment of the effects. This stage incorporates the development of the options and policies, the prediction and evaluation of the effects of the options and subsequent policies that make up the MWLP, along with the consideration of any mitigation measures and ways to maximise beneficial effects along the way. An Interim Environmental Report was developed at this stage to support consultation on the Issues and Options for the MWLP in early 2014 and provided an assessment of effects for the relevant options.

The findings of this second stage were then pulled together to create the Draft SA/SEA Environmental Report which was published at the Preferred Options consultation stage in spring 2017, which is known as Stage C.

Following the preferred options consultation, changes were made and the options reassessed or updated where appropriate. The SA/SEA Environmental Report was then updated for the Proposed Submission consultation of the MWLP in early 2021 which is known as Stage D. No significant changes were proposed as a result of the proposed submission consultation, therefore there was no need for reassessment.

Following the examination hearing sessions, a number of Main Modifications were proposed to the MWLP. These were reviewed and updates to the SA/SEA were made where required.

Monitoring of the MWLP will take place now that it has been adopted, and this is Stage E.

In essence, environmental considerations have been fully assessed as part of the SA/SEA process. The SA/SEA has then been fully integrated into the MWLP plan-making process by assessing and outlining the environmental effects of policy / site options and informing decisions on the final policies and sites to take forward. The SA/SEA has also been updated and refined at each stage as a result of the consultation process (outlined under section (c)).

(b) How the SA/SEA Environmental Report has been taken into account

As demonstrated in section (a), the SA/SEA is an iterative process that has been fully integrated into the plan-making process and has ensured that sustainability has been at the heart of the MWLP. At each stage, the findings of the SA/SEA have been considered by officers in developing the MWLP.

The SA/SEA Environmental Report has been written so that it is clearly demonstrated how the sustainability objectives have been taken into account at each stage, and integrated into the development of the MWLP.

In January 2014, the Council undertook an Issues and Options consultation setting out a range of issues that the MWLP would seek to address, and the options for implementation. In 2016, a consultation on potential sites to be included within the MWLP was also undertaken. Options were initially assessed in the Interim Environmental Report and refined and updated as part of the Preferred Options and Proposed Submission versions of the SA/SEA (Appendix 4). The chosen policy options were then assessed (and updated where relevant) in the Preferred Options (Appendix 6), Proposed Submission and Proposed Main Modification versions of the SA/SEA (Appendix 5).

Section 5.1.1 of the final SA/SEA sets out how the outcomes of the SA/SEA have been taken into account in determining and choosing the final policy options.

The SA is an iterative process and so the comments received from the consultation on the Issues and Options, Sites Consultation, Preferred Options and Proposed Submission version of the MWLP fed into the development of the Submission MWLP (as outlined in section (c)). As a result of the Proposed Submission consultation no changes, requiring reassessment to the SA/SEA, were proposed.

Following the examination hearing sessions a number of Main Modifications were proposed in addition to several minor (additional) modifications. These were reviewed and the SA/SEA updated where required, nonetheless, these did not result in any significant changes to the outcome of the MWLP.

In his report on the MWLP, the Inspector clarified his satisfaction with the Plan as modified. Furthermore the Inspector also confirmed that all of the legal requirements had been met, including an adequate SA/SEA.

(c) How the SA/SEA consultation responses have been taken into account

Public involvement through consultation is a key element of the sustainability appraisal process. During the development of the SA there are several formal stages of consultation. Informal comments received can also be taken into consideration.

At each stage of plan-making, the SA/SEA has been consulted upon alongside the MWLP document. Comments made on the SA/SEA have then been summarised and responded to for each iteration (Interim Environmental Report, Preferred Options, Proposed Submission and Proposed Main Modifications SA/SEA Reports).

The Scoping Report was published in August 2013 and went out to consultation to the statutory environmental bodies for 5 weeks. The consultation responses received were taken account in the production of a revised Scoping Report which was published in November 2013. A summary of the comments made during the consultation, and how they were taken into account is set out in [Appendix 3](#)³ of the SA/SEA Environmental Report.

The Issues and Options consultation on the MWLP included consultation on the Interim Environmental Report and took place in early 2014. A summary of the responses received as part of this consultation, as well as how the Council responded to these and took them into account (including consultation responses on the SA), is included as [Annex 1](#)⁴ to the Statement of Consultation.

Consultation on potential sites to be included in the MWLP was undertaken in summer 2016. The comments received on the sites consultation have fed into the site assessments carried out as part of the Sustainability Appraisal (see [Appendix 6](#)⁵ of SA/SEA) and therefore, have been taken into account as part of the site assessment process.

The Issues and Options and Sites consultations informed the preparation of the Preferred Options version of the MWLP, and all sites and policy options were assessed and included in the Draft SA/SEA. The Preferred Options consultation on the MWLP included consultation on the Draft SA/SEA and took place in spring 2017. Results from the consultation (including consultation responses on the SA), and how the comments have been taken into account in the production of the SA/SEA, are included in [Annex 3](#)⁶ to the Statement of Consultation.

The Preferred Options consultation informed the preparation of the Proposed Submission version of the MWLP, and a number of changes were made (set out in Table 1 of the [Statement of Consultation](#)⁷). These changes were assessed and the SA/SEA updated where appropriate. The Proposed Submission consultation on the MWLP (and accompanying SA/SEA) took place in early 2021. A summary of the consultation responses received as part of this consultation (including consultation

³ <https://www.westberks.gov.uk/mwel>

⁴ <https://www.westberks.gov.uk/mwel>

⁵ <https://www.westberks.gov.uk/mwlpe>

⁶ <https://www.westberks.gov.uk/mwel>

⁷ <https://www.westberks.gov.uk/mwel>

responses on the SA), and how these have been taken into account in the production of the SA/SEA, is included as [Annex 5](#)⁸ to the Statement of Consultation.

Following the examination hearing sessions a number of Main Modifications were proposed to the MWLP. These were assessed and the SA/SEA updated where appropriate. Consultations on the Proposed Main Modifications to the MWLP (and accompanying SA/SEA) took place in Spring/Summer 2022. A summary of the consultation responses received during this consultation (including consultation responses on the SA), and how these have been taken into account in the production of the final [SA/SEA](#)⁹, is included as document [EXAM23](#)¹⁰ in the examination library. The changes proposed do not have an impact on the overall sustainability of the Plan, and in some cases may have a positive impact.

(d) The reason for choosing the MWLP as adopted, in light of the other reasonable alternatives

The SEA Regulations require environmental reports (SA/SEA) to consider reasonable alternatives taking into account the objectives and geographical scope of the Plan.

Section 5.1.1 and 5.1.2 of the SA/SEA Environmental Report (including Proposed Main Modifications) sets out the reasonable alternatives considered, and reasons for choosing the final policy options and sites over other reasonable alternatives.

Furthermore, the independent examiner of the MWLP concluded that the MWLP provides an appropriate basis for the planning of the area.

(e) The measures that are to be taken to monitor the significant environmental effects of the implementation of the MWLP

The Monitoring Framework outlined in section 7 of the MWLP will be used to monitor the impact of the Plan. The key indicators fed into the Monitoring Framework which will be monitored and relevant conclusions will be included in the Authority Monitoring Report. The Monitoring framework contains more detail on the monitoring indicators and how they will be measured.

Monitoring should also involve measuring indicators which enable any significant environmental effects to be monitored. Potential indicators have been proposed in the SA/SEA (see table 5) for each of the SA objectives and sub-objectives, drawing from existing sources to ensure the recording of data for the indicator is already established. The effectiveness of policies should be assessed against measurable targets. Some policies aim to deliver a qualitative rather than quantitative outcome and in such instances it is appropriate to monitor whether the policy is delivering the intended trend of direction of travel. Monitoring of significant environmental effects will be integrated in the Authority Monitoring Report.

⁸ <https://www.westberks.gov.uk/mwel>

⁹ <https://www.westberks.gov.uk/mwlpe>

¹⁰ <https://www.westberks.gov.uk/mwel>

In many cases information used in monitoring will be provided by outside bodies. This has already been evidenced by the additional baseline information provided by the statutory environmental consultees during the MWLP SA/SEA process.

Documents and Information

The MWLP and its accompanying SA/SEA Environmental Report and this SA/SEA Adoption Statement can be viewed and downloaded free of charge at the following website: <https://www.westberks.gov.uk/mwlp>

If you would like a hard copy of the documents, these may be obtained by post where reasonably practical. Please contact the Minerals and Waste Planning Team at the Council Offices, Market Street, Newbury, RG14 5LD or by phone on 01635 519 111 or via email at minerals@westberks.gov.uk Charges will be on a cost-recovery basis.

If you have any queries relating to the MWLP, SA/SEA Environmental Report, or this SA/SEA Adoption Statement, please contact the Minerals and Waste Planning Team via the above contact details.

Eric Owens

Interim Executive Director - Place
West Berkshire District Council