

Somerset Minerals Plan

Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) Adoption Statement

February 2015

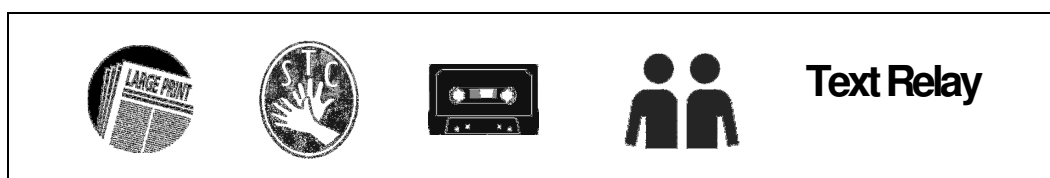
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For more information on the Minerals Plan, please contact the planning policy team via mineralsandwaste@somerset.gov.uk or telephone 0845 3459188.

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1. Introduction

- 1.1 Somerset County Council resolved to adopt the Somerset Minerals Plan: Development Plan document up to 2030 on 18 February 2015.
- 1.2 The Council has been required by law to carry out a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) of the Minerals Plan as it developed. Both the SA and SEA requirements were met through a single process, the method and findings of which were described in a number of SA reports published alongside the different versions of the Plan during its progression towards adoption.
- 1.3 It is noted that Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations (2012) requires the Council to make the final SA report available alongside the Plan.
- 1.4 The final SA report for the adopted Somerset Minerals Plan comprises the following documents:
 - Sustainability Appraisal Report (December 2013)
 - Proposed Changes to the Pre-Submission Somerset Minerals Plan: Sustainability Appraisal Addendum (June 2014)
 - Proposed Main Modifications to the Pre-Submission Somerset Minerals Plan following Examination: Sustainability Appraisal Addendum (October 2014)
- 1.5 The Minerals Plan was considered by an independent Inspector during hearing sessions in September 2014. The Inspector's report, the Minerals Plan, Sustainability Appraisal and all material relating to the examination process can be viewed on the Council's website at: www.somerset.gov.uk/mineralsplan
- 1.6 Regulation 16 of the Environmental Assessment of Plans and Programmes 2004 requires that the responsible authority adhere to certain requirements regarding environmental assessment. These requirements are addressed in this SA/SEA adoption document.

2. How environmental considerations have been integrated into the Somerset Minerals Plan

- 2.1 The SA (incorporating SEA) was undertaken independently by Land Use Consultants (LUC). LUC has provided advice to Somerset County Council throughout the preparation of the Somerset Minerals Plan.
- 2.2 The Sustainability Appraisal process began in 2007 when the original Scoping Report for the Minerals and Waste Development Framework was sent to the three statutory consultation bodies for consultation (Natural England, English Heritage and the Environment Agency) alongside other key stakeholders. This report was produced by Scott Wilson on behalf of Somerset County Council and comprised a review of baseline information, relevant policy objectives, and the development of a framework of sustainability objectives and indicators.
- 2.3 Comments were taken in to account and incorporated, alongside those of LUC, in a revised Scoping Report in October 2010. This revised Scoping Report was also made available for comment by the statutory consultees and other interested stakeholders.
- 2.4 The final Scoping Report was published in February 2011.
- 2.5 The SA Framework was developed from the identification of sustainability issues and social, environmental, and economic policy objectives set at the international, national, regional and local level. The SA objectives also cover the topics listed in the SEA Directive. The 10 SA objectives used by LUC with reference to the Somerset Minerals Plan were as follows:
 1. To protect geodiversity and conserve and enhance biodiversity including natural habitats and protected species
 2. Protect and enhance landscape character, local distinctiveness and historic built heritage
 3. To maintain and improve ground and surface water quality
 4. Maintain and improve air quality
 5. Address the causes of climate change through reducing greenhouse gas emissions
 6. Limit vulnerability to flooding taking account of climate change
 7. To minimise the risks to human health derived from mineral extraction and improve overall quality of life/amenity
 8. Minimise consumption of natural resources, promote resource efficiency and avoid unnecessary sterilisation
 9. Contribute to economic growth and diversity
 10. To conserve and enhance soil quality

- 2.6 Developing options for a plan is an iterative process usually involving a number of consultations with public and stakeholders. The SA can help to identify where there may be other 'reasonable alternatives' to the options being considered for a plan.
- 2.7 The options/reasonable alternatives for Minerals Plan have been investigated through the plan development process, first through consultation on a series of topic papers, then through publication of the Minerals Options Paper in December 2011, and lastly through the Minerals Plan Preferred Options Paper in January 2013. At each stage LUC provided advice on the refinement of options for the Minerals Plan, culminating with the production of an Interim SEA/SA Report in 2011 and an SA Report in December 2012.
- 2.8 The Interim SA Report was drafted in mid-2011, appraising the issues and options set out in the draft Minerals Options Paper, July 2011. The final Interim SA Report (December 2011) provided an appraisal of the original (July 2011) and additional (December 2011) policy options for completeness. The Interim SA Report was published for consultation alongside the final Minerals Options Paper in December 2011.
- 2.9 The Minerals Plan Preferred Options Paper was drafted in mid-2012, to allow the Council to consult on new elements such as energy minerals, elements of the Minerals Options consultation which required further clarity and the preferred policy options for all minerals in Somerset, and to provide a further opportunity for further consultation with a wide range of stakeholders. This stage of the plan making process was subject to a full SA, culminating in the production of an SA Report (December 2012).
- 2.10 The SA Report described the process undertaken to date and set out findings of the appraisal of the Preferred Options Paper, highlighting any likely significant effects and making recommendations for improvements and clarifications to the Plan.
- 2.11 Following receipt of consultation comments on the Preferred Options Paper, Somerset County Council drafted the pre-submission Minerals Plan for consultation. This Plan was also subject to a full SA which was documented in an updated SA Report (December 2013).
- 2.12 Representations on the Plan were received during the pre-submission consultation, plus a small number of comments on the SA Report that were summarised at the end of the Council's Statement of Consultation.
- 2.13 During the hearings led by an independent Inspector, a list of main modifications were identified which were then subject to consultation and an SA Addendum was prepared on those modifications.

3. How the Environmental/SA report has been taken into account

3.1 A summary of the SA work that has been undertaken in preparing the Minerals Plan is shown in Table 1 below.

Table 1: A summary of the SA work undertaken in preparing the Somerset Minerals Plan

Date	Plan iteration	Accompanying SA work
2007	N/A	SA Scoping Report (produced by Scott Wilson on behalf of SCC)
February 2011	N/A	Final Revised SA Scoping Report (produced by URS Scott Wilson on behalf of SCC)
December 2011	Minerals Options Paper	Interim SA Report produced by LUC
January 2013	Preferred Options	SA Report produced by LUC (December 2012)
March 2014	Pre-Submission Minerals Plan	SA Report produced by LUC (December 2013)
June 2014	Proposed Changes to Pre-Submission Minerals Plan	SA Report Addendum produced by LUC (June 2014)
October 2014	Proposed Main Modifications to the Pre-Submission Somerset Minerals Plan following Examination	SA Report Addendum produced by LUC (October 2014)

3.4 During this process, the SA has made a number of recommendations which have helped to inform the Minerals Plan. The following paragraphs in this section exemplify the nature of this feedback.

3.5 With regard to SA objective 4 on air quality, it was recommended that SCC give consideration as to whether the Minerals Plan Preferred Options should be more explicit in addressing potential air quality issues, given that transport of some of the mineral resource is by lorries, that there are three AQMAs (Air Quality Management Areas) in the county, and that some of the potential mineral resources are in locations that are environmentally sensitive and where air pollution from both operations and traffic movements could give rise to impacts on habitats and species. In response to this SA recommendation, SCC has reworded Policy DM9: Minerals Transportation to include reference to air quality.

- 3.6 With regard to SA objective 5 on addressing the causes of climate change through reducing greenhouse gas emissions, it was recommended that the Preferred Options includes a more specific steer on what it would wish to see minerals operators do to make their contribution to reducing greenhouse gas emissions. In response to this recommendation, a clear statement has been included within the supporting text of the Somerset Minerals Plan: *“Energy use is one of the major costs in quarrying. Gas/fuel oil makes up almost three quarters of the energy consumption from crushed rock sites. It is expected that minerals planning applications will normally include consideration of the energy and/or carbon impacts of the proposal. This will include (but not be limited to) an assessment of how the development will mitigate climate change and/or adapts to its effects. In most cases the Planning Authority for renewable energy development at mineral sites in Somerset will be the relevant District Council. Applicants are encouraged to assess options for renewable energy schemes in accordance with the Development Plan.”*
- 3.7 With regard to Objective 6 on limiting vulnerability to flooding taking account of climate change, apart from risks to people and property, flooding can also damage agricultural land (e.g. through soil erosion), habitats, and transport infrastructure. In certain instances, regular seasonal flooding can be an important event of benefit to nature conservation – if disrupted this could lead to a net adverse impact on biodiversity. These issues were not specifically addressed in Policy DM4 [in the Preferred Options] and it was recommended that they are added as criteria against which development proposals are assessed. The SA recommendation has been reflected in the revised wording of Policy DM4, through ensuring that proposed development does not have an adverse impact in the integrity and function of the land drainage and water level management systems.
- 3.8 There are other examples that can be cited of how the SA has informed the Plan, including:
- broadening the policy approach to mineral extraction below the water table, to consider more than just crushed rock;
 - tightening the language in the policy on oil and gas development to ensure that any proposal is located and designed to mitigate adverse impacts on the environment and local community;
 - making explicit reference to the conservation of soils for use in restoration in the Plan’s Development Management section
- 3.9 In summary, at each stage of the SA process, recommendations have been made on wording in the Plan with the aim of ensuring that potential environmental, social and economic effects have been taken into account and avoided or minimised where possible. The process followed is documented in Chapter 8 of the SA.

- 3.10 According to the SA's concluding remarks, it can be seen that the majority of impacts from minerals development in the county are likely to arise from existing workings rather than new permissions. There is no pressing need to permit new crushed rock proposals, sand and gravel extraction could take place at Whiteball but there are no plans for this at the moment, and new permissions for peat extraction will only be given for environmental reasons. There is the potential for new building stone permissions, but these are generally supported locally. There is considerable uncertainty around the future exploration and extraction of energy minerals, and so the Somerset Minerals Plan takes a precautionary approach.
- 3.11 Mineral extraction in Somerset does take place in some sensitive locations, both in terms of its environment and proximity to local communities. The Somerset Minerals Plan includes a series of locational and development management policies that seek to ensure that any new proposals coming forward will only be given permission if there is a demonstrable need, and that any impacts arising are acceptable, and where relevant mitigated or compensated for. The Somerset Minerals Plan is supported by the NPPF that seeks to ensure that proposals coming forward are acceptable in environmental, economic and social terms, notwithstanding the presumption in favour of sustainable development.

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

- 4.1 A statement of representations was prepared for each Issues paper i.e. three papers in total. Each Statement document summarises the representations made on the relevant Issues paper and includes concluding remarks that informed the next stage of the Plan's development.
- 4.2 A response to responses document was prepared for the Options consultation. Representations were sought on a wide range of issues. 86 respondents replied, which can be divided into 1195 representations (individual comments).
- 4.3 There were no comments received on the Interim SEA/SA Report that accompanied the Options Paper.
- 4.4 A consultation report from the Preferred Options was prepared. In summary, SCC received 172 separate written responses to the Preferred Options document. Of those who responded, the majority were members of the public. 11 were from Parish or Town Councils, 17 from industry, 15 from local authorities or government agencies and 9 from environmental groups or other organisations.
- 4.5 A table in SCC's Statement of Consultation summarises in high level terms the comments made during this consultation and SCC's responses to those comments.
- 4.6 Focusing on the SA Report that accompanied the Preferred Options, comments were received and were reviewed and reflected in this SA Report where appropriate. The consultation comments received in relation to the SA Report are included in Appendix 5 of the SA. With one exception, the comments that referenced the SA did not require an amendment to this SA Report. The exception refers to the need for the SA to include the potential for extraction to impact the Bath Hot Springs. In response, the baseline section of the SA Report now refers to groundwater resources at Bath Hot Springs, and the appraisal matrices have been reviewed and reference made to the Bath Hot Springs where relevant (e.g. Policy DM5). However, as the Minerals Plan does not propose any new mineral developments, the plan is not expected to have adverse impact on Bath Hot Springs, particularly as Policy DM5 requires that mineral extraction from below the water table does not adversely affect the water environment and strategic policy SMP7 ensures environmental risks of any oil and gas development proposal in the neighbouring Mendips Hills are robustly assessed.

- 4.7 SCC has prepared a database of representations submitted during consultation on the pre-submission Minerals Plan and responded to each representation within that database. In addition to feedback from SCC officers, 91 external responses were received, which have been split into 617 representations (e.g. some of the responses can be split into over 30 representations).
- 4.8 A table in SCC's Statement of Consultation summarises the main comments made during this consultation and SCC's responses to those comments. A complete set of representations and SCC responses to those representations has been separately prepared.
- 4.9 The Statement of Consultation ends by summarising the comments received on the SA during the pre-submission consultation. Comments were received with regard to peat, air quality and hydrocarbon extraction. On peat, LUC notes in response that Policy SMP6 which relates directly to peat is considered to have a significant positive effect on that particular SA objective because the policy states that planning permission for peat extraction will only be granted where a significant net environmental benefit can be demonstrated, as explained in the SA matrix. The likely effects of peat extraction on other SA objectives have been considered separately.
- 4.10 The likely effects of the Plan on air quality have been assessed on the basis of the baseline information described in Chapter 6 of the SA report (para 6.23 specifically). Monitoring proposals and indicators for air quality have not been identified in the SA report as no likely significant effects in relation to air quality have been identified in the Plan.
- 4.11 With regard to hydrocarbon extraction, the statement in paragraph 6.6 of the SA report that 'clay, gypsum, iron, coal and oil have previously been worked in Somerset but extraction of these has now ceased and is unlikely to resume in the foreseeable future' comprises part of the baseline information so the likely effects of this have not been appraised in the same way that the specific policies and proposals in the Plan have.

5. The reasons for choosing the Plan as adopted, in light of reasonable alternatives

- 5.1 The SA report and interim versions of this document demonstrate that alternatives have been prepared. Chapters 4 and 8 of the SA outline the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.
- 5.2 Comprehensive dialogue has taken place with stakeholders on specific issues, such as peat, where there is a locally distinctive element, conflicting stakeholder views and ambiguous national policy.
- 5.3 Assessments of the Plan documents via SA and Habitat Regulations Assessment (HRA) have helped to demonstrate conformity with current national policy. Council officers have had regard for the National Planning Policy Framework throughout the process.
- 5.4 The Council has engaged in open dialogue with interested parties, including statutory agencies such as the Environment Agency, details of this engagement can be found in SCC's Duty to Cooperate Statement.
- 5.5 The evidence base, consultation and responses and findings of the sustainability appraisal informed the development of Mineral Plan documents.

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

- 6.1 As noted in the Planning Practice Guidance, local planning authorities should monitor the significant environmental effects of implementing the Local Plan (as required by Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004). This will enable local planning authorities to identify unforeseen adverse effects at an early stage and to enable appropriate remedial actions.
- 6.2 The PPG also notes that details of monitoring arrangements must be included in the sustainability appraisal report, the post-adoption statement or in the Local Plan itself. The monitoring results should be reported in the local planning authority's Monitoring Report.
- 6.3 Table 10.1 in the SA sets out a range of measures for monitoring the significant sustainability effects of implementing the policies for the Somerset Minerals Plan. Specifically, the measures recommend that the following aspects should be monitored (and these are accompanied in Table 10.1 by suggested indicators):
- Contribute to economic growth and diversity through ensuring there is sufficient aggregate to meet the needs of society.
 - Minimise consumption of natural resources through restricting proposals for new permitted reserves.
 - Enhancing habitats, biodiversity, geodiversity, landscape and communities through the restoration, reclamation and after-use of minerals sites.
 - Protect the water environment from potentially harmful effects of mineral developments.
 - Benefit biodiversity, habitats and the landscape through an assumption against further peat extraction. This will also minimise consumption of natural resources and promote resource efficiency.
 - Protect resources through avoiding unnecessary sterilisation.
 - Protecting the health and amenity of local communities through requiring mineral development to avoid adverse effects from dust, vibration, noise, visual impact and lighting.
- 6.4 The SA recommendations on monitoring have informed consideration of monitoring indicators included in the Plan (see chapter 25) and will continue to inform the approach to monitoring delivered by SCC's annual monitoring report.