

Sustainability Appraisal (SA) of the Kent Minerals and Waste Local Plan



SA Report
Non-technical Summary

July 2014



INTRODUCTION

URS has been commissioned to undertake an independent Sustainability Appraisal (SA) in support of the emerging Kent Minerals and Waste Local Plan (MWLP).

The Plan, once adopted, will provide strategic direction to guide minerals and waste development in Kent. Further strategic direction will also be provided by two 'Sites Plans' (one for minerals and one for waste), which will be produced separately and in accordance with the MWLP.

SA is a mechanism for considering and communicating the likely effects of a draft plan, and alternatives, in terms of sustainability issues, with a view to avoiding and mitigating adverse effects and maximising the positives. SA of the MWLP is a legal requirement (stemming from the EU 'Strategic Environmental Assessment' (SEA) Directive).

This is the **non-technical summary** of the SA Report being published alongside the 'Submission' version of the Local Plan. This non-technical summary should be read alongside the main SA Report.

Structure of the SA Report / this non-technical summary

The SA Report (and this non-technical summary) sets out to answer four questions:

1. What's the scope of the SA?
2. What has plan-making / SA involved up to this point?
3. What are the appraisal findings at this current stage?
4. What happens next?

WHAT'S THE SCOPE OF THE SA?

An important first step in the SA process involves establishing the 'scope', i.e. those sustainability issues which should be a focus of the SA, and those that should not. In order to establish the scope there is a need to answer a series of questions including:

- What's the sustainability 'context'?
 - Answering this question primarily involves reviewing the National Planning Policy Framework (NPPF); however, it is also important to 'cast the net wider' and consider contextual messages established through other plans, policies, strategies and initiatives.
- What's the sustainability 'baseline'?
 - Answering this question involves reviewing available data to establish an understanding of the current state of the environment / socio-economy within Kent (and the wider South East).

The following is a brief summary of some of the sustainability baseline characteristics described within the SA Report. It is important to emphasise that the following list is not comprehensive.

Environmental baseline

- Kent is considered to be one the UK's most wildlife-rich counties. This is a result of its varied geology, long coastline, landscape history and southerly location / proximity to mainland Europe.
- Natura 2000 habitat is concentrated around the coast, particularly around the Thames Gateway (much within Medway UA), the Isle of Thanet, the Stour Estuary and Dungeness. Sites of Special Scientific Interest (SSSI) cover 8.5% of the county. The county contains c.10% of England's ancient woodland.
- The Thames Gateway is also acknowledged for its national importance due to 'brownfield' biodiversity.
- The last century has seen major losses and declines of species within Kent. Amongst the most important drivers of biodiversity loss in Kent are: the direct loss of land of value to wildlife to built-development or intensive farming, which has reduced and fragmented populations; and the effects of climate change.
- Analysis at the County level has informed the location of 16 Biodiversity Opportunity Areas (BOAs) across Kent covering 40% of the land area (BOAs cover 35% of the South East).

- Since 2008 there has been a reduction in carbon dioxide emissions of 0.8 tonnes per capita. Nonetheless, this figure remains higher than regional and national emission levels.
- Kent is considered to be the most at risk local flood authority in England. Flooding has a significant impact on residents and the economy, with such effects predicted to worsen due to climate change.

Social baseline

- Kent had an estimated population of 1,466,500 in mid-2011. By 2021 the population of Kent is projected to increase by 9.4% from 2012. The age group with the greatest projected percentage change in population is 65+ (21.2%).
- In mid-2011, Kent had the largest rural population of any county in the South East (29%) and identified problems of 'rural deprivation', e.g. associated with access to services, facilities and housing affordability.
- In terms of the 'Index of Multiple Deprivation', Kent ranks within England's least deprived third of authorities. However, significant areas within Kent are amongst England's most deprived 20%. Life expectancy is 8.2 years lower for men and 4.5 years lower for women in the most deprived areas of Kent than in the least deprived areas.
- Early death rates from cancer, heart disease and stroke have fallen and are better than the England average. About 18.4% of Year 6 children are classified as being obese, lower than the average for England. However, estimated levels of adult obesity are worse than the England average.
- Climate change projections highlight an increase in risk to people from flooding; and hotter and sunnier summers leading to public health risks.

Economic baseline

- In 2011, the Gross Domestic Household Income (GDHI) in Kent was £16,855, 5.1% above the UK average, while the South East region was 12.8% above the UK average.
- 2011 was the first year since 2008 that the 'birth' of enterprises in the Kent exceeded the number of 'deaths'.
- During the period October 2011 to September 2012, the employment rate for residents of Kent was 71.1%, a lower figure than that for the South East (74.6%) and close to that for England (70.7%).
- In Kent, the unemployment rate for October 2011 to September 2012 was 7.4% of the population aged 16 years and over; greater than the rate for the South East (5.8%) and close to the rate for England (7.9%).
- The 'public administration, education and health' sector employs the highest proportion of persons aged 16 to 64 (30.7%). Agriculture and fishing employs the lowest proportion of the population aged 16 to 64 (1.6%). These are also the lowest / highest employers at regional and national levels.

The SA 'framework'

Drawing on the findings of the context / baseline review, a list of sustainability 'objectives' was identified. The objectives were then grouped under nine 'topic' headings. It is these topics and objectives that have been drawn on as a key methodological 'framework' for the SA, with a view to ensuring that it remains focused.

Topic	Objectives
Biodiversity	• Ensure that development will not impact on important elements of the biodiversity resource and where possible supports achievement of the Kent BAP and other strategies - Add to the biodiversity baseline by creating opportunities for targeted habitat creation (which, ideally, contributes to local or landscape scale habitat networks) - Avoid hindering plans for biodiversity conservation or enhancement - Support increased access to biodiversity

Topic	Objectives
Climate change	- Address the causes of climate change through reducing emissions of greenhouse gases through energy efficiency and energy generated from renewable sources - Recover energy from waste where possible - Promote sustainable design and construction of facilities and support wider efforts to reduce the carbon footprint of minerals and waste operations
Community and well-being	- Support efforts to create and sustain sustainable communities, particularly the improvement of health and well-being; and support the delivery of housing targets - Help to redress spatial inequalities highlighted by the Index of Multiple deprivation. - Help to tackle hidden forms of deprivation and exclusion, such as that which is experienced in rural areas and by particular groups within communities. - Ensure that the necessary aggregates are available for building, and that the necessary waste infrastructure is in place to support housing growth - Ensure that minerals and waste development does not contribute to poor air quality
Sustainable economic growth	- Support economic growth and diversification - Support the development of a dynamic, diverse and knowledge-based economy that excels in innovation with higher value, lower impact activities - Stimulate economic revival and targeted employment generation in deprived areas
Flood risk	- Reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and the environment - Ensure that development does not lead to increased flood risk on or off site - Seek to mitigate or reduce flood risk through developments that are able to slow water flow and promote groundwater recharge
Land	- Make efficient use of land and avoid sensitive locations - Make best use of previously developed land - Avoid locations with sensitive geomorphology
Landscape and the historic environment	- Protect and enhance Kent's countryside and historic environment - Protect the integrity of the AONBs and other valued or sensitive landscapes - Take account of the constraints, opportunities and priorities demonstrated through landscape characterisation assessments and other studies at the landscape scale - Protect important heritage assets and their settings, as well as take account of the value of the character of the wider historic environment
Transport	- Reduce and minimise unsustainable transport patterns and facilitate the transport of minerals and waste by the most sustainable modes possible - Minimise minerals and waste transport movements and journey lengths; and encourage transport by rail and water - Ensure that minerals and waste transport does not impact on sensitive locations, including locations already experiencing congestion and locations where planned growth or regeneration is reliant on good transport networks
Water	- Maintain and improve the water quality of the Kent's rivers, ground waters and coasts, and achieve sustainable water resources management - Ensure that minerals and waste development seeks to promote the conservation of water resources wherever possible - Avoid pollution of ground or surface waters, particularly in areas identified as being at risk or sensitive

WHAT HAS PLAN-MAKING / SA INVOLVED UP TO THIS POINT?

It is a legislative requirement that every SA process includes an 'interim' appraisal stage, i.e. a stage of appraisal that happens prior to finalisation of the draft (proposed submission) version of the plan. It is also a requirement that interim appraisal focuses on the 'reasonable alternatives'.

The following is a brief summary of the interim SA steps taken prior to finalisation of the draft (proposed submission) MWLP:

- The first major plan-making 'step' was the consultation on 'issues' in **2010**. An 'SA Commentary' document was also published as part of the consultation with the intention of informing readers of the relationship between plan issues and wider sustainability issues.
- The next plan-making step involved consulting on 'strategy and policy directions' in **2011**. Another 'SA Commentary' document was published alongside the plan consultation document. The intention of the Commentary was to discuss the sustainability implications of the preferred approach and alternatives presented. Recommendations were made as to how the preferred approach might be improved.
- **Since 2011**, there has been a focus on further evidence gathering, analysis and consideration of alternatives. Part 2 of the main SA Report presents detailed information regarding consideration/appraisal of alternatives for the following key plan issues:
 - Provision for sharp sand and gravel and soft sand
 - Brickearth and clay for brick and tile works
 - Provision for municipal solid waste
 - Landfill space for Kent's non-hazardous wastes
- Also, a 'working draft' version of the plan was appraised in **early 2013**, with recommendations made as to how the preferred approach might be improved.

WHAT ARE THE APPRAISAL FINDINGS AT THIS CURRENT STAGE?

The appraisal of presented above finds that the draft (Proposed Submission) plan if implemented would lead to significant positive effects in terms of a number of sustainability issues/objectives. In summary –

- Biodiversity benefits relate to the minerals development management strategy, which is set to ensure that negative effects associated with minerals extraction are avoided or mitigated, and the potential for minerals development to contribute to biodiversity objectives is realised.
- Economic benefits relate to the targeted measures that are proposed as part of the minerals strategy; in particular, around ensuring supply of materials for strategically important industries / economic activities.
- 'Land' and 'landscape' benefits relate to the support that is provided for Construction and Demolition (CD) recycling (i.e. aggregate recycling), which reduces the need to extract primary aggregates. There is also a focus on ensuring that the non-recyclable fraction of this inert waste is targeted at quarry restoration projects as a priority. In addition, the MWLP is supportive of efforts to increase the movement of minerals via wharves which should have the effect of encouraging supply of marine dredged aggregates and hence reducing the need for land won aggregates.
- Heritage / historic environment benefits (which are relatively small magnitude and hence of unclear significance) relate to the support that is provided to extraction of minerals for heritage building products with a view to maintaining a diverse supply.
- 'Transport' (and hence also climate change mitigation) benefits relate to the fact that the waste strategy is geared towards ensuring strict adherence to the 'proximity principle', i.e. a situation whereby waste is managed close to the source of production. It is also the case that the minerals strategy includes a focus on the safeguarding of wharves and railheads across the County to enable the on-going importation of marine dredged aggregates, crushed rock and other minerals by sea and rail, rather than by road.

No significant negative effects / trade-offs are identified and no recommendations remain outstanding at this current stage¹; however, the appraisal does question the preferred approach in relation to a small number of key issues. In particular –

- Support is provided to Energy from Waste (EfW) facilities despite EfW not being 'at the top' of the waste hierarchy. This policy support for EfW reflects the urgent need to make provision for new capacity to enable a step change in C&I waste management practices, with a major reduction in reliance on landfill for this waste stream. Importantly, policy is set that 1) requires EfW facilities to produce both heat and power; and 2) restricts the capacity of EfW that will be permitted to a maximum of 437,000 tonnes (until such time as annual monitoring shows that the restriction would result in the loss of remaining non-hazardous landfill in the county before the end of the plan period). The 'capping' of EfW will have the effect of ensuring that recycling and composting operations, which are more preferable in terms of the waste hierarchy, are also encouraged. The policy approach is probably appropriate. There is no shortage of land for alternative facilities (mostly Anaerobic Digestion and dirty MRFs) given that such facilities will tend to require relatively small sites (30 to 50,000 tonnes per annum capacity). EFw facilities need about 90,000 tpa capacity to be viable as 'merchant facilities', and so require larger sites (which are fewer and, unless allocated, are at risk of being lost to piecemeal development for industrial and commercial uses).
- There remains ongoing debate about the potential for impacts to the AONB, e.g. from silica sand extraction, but the stringency of policy has been strengthened and so effects are now unlikely. There is also some uncertainty around the landscape / biodiversity implications of making provision for both soft sand and sharp sand / gravel landbanks.

WHAT ARE THE NEXT STEPS?

Once the period for public representations has finished the main issues raised will be identified and summarised by the Council, who will then consider whether the plan can still be deemed 'sound'. Assuming that this is the case, the Plan (and a summary of representations received) will be submitted for Examination.

At Examination the Inspector will consider representations made (alongside the SA Report) before then either reporting back on the Plan's soundness or identifying the need for modifications. If the Inspector identifies the need for modifications to the Plan these will be prepared and then subjected to consultation.

Once 'sound' the Plan will be formally adopted by the Council. At the time of Adoption a 'Statement' must be published that sets out (amongst other things) *'the measures decided concerning monitoring'*.

Monitoring

At the current stage – i.e. in the SA Report - there is a need to present *'a description of the measures envisaged concerning monitoring'* only. The plan document includes a monitoring framework that is set to be used to assess the performance of the MWLP over its course (i.e. up to 2030). Table 18.1 of the SA Report highlights a range of the proposed monitoring indicators that are important from an 'SA perspective', i.e. given the strategic issues that a focus of the appraisal presented in this report. For example:

- Number of applications granted for wharf and rail head facilities; and loss of the listed safeguarded mineral importation facilities to alternative development, or severely constrained by nearby developments.
- Annual secondary and recycled aggregate production and capacity.
- Number of applications granted for reduction of emissions at Closed Biodegradable Landfill Sites.
- Number and type of developments delivering measurable enhancements to their surrounding environment and communities (e.g. enhancements in accordance with a Biodiversity Action Plan).
- Existing waste capacity by waste facility type, and Kent County Council new waste capacity granted by quantity and type as categorised by the waste hierarchy.

¹ Numerous recommendations have been made in relation to earlier 'working drafts' of the plan. These recommendations, and the Council's responses, are presented in 'boxes' embedded within the appraisal text above (Chapter 15)