

Local Development Framework

London Borough of Barking & Dagenham
London Borough of Havering
London Borough of Newham
London Borough of Redbridge

Adoption of Sustainability Appraisal Joint Waste Development Plan Document (DPD) for the East London Waste Authority Boroughs

1. This Environmental Statement for the Joint Waste Development Plan Document for the East London Waste Authority Boroughs (“the Joint Waste DPD”) has been prepared in accordance with (a) Regulation 36 of the Town and Country Planning (Local Development) (England) Regulations 2004, and; (b) Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004. It explains how sustainability considerations have been integrated in to the Joint Waste DPD; how the Sustainability Appraisal (“the SA”) has been taken in to account; the reasons for choosing the Joint Waste DPD as adopted; how consultation responses have been taken in to account; and how the significant environmental affects of implementing the Joint Waste DPD will be monitored.

Introduction

2. The East London Waste Authority Boroughs adopted the Joint Waste DPD in Council meetings on the following dates: 19 January 2012 (London Borough of Redbridge); 1 February 2012 (London Borough of Havering); 22 February 2012 (London Borough of Barking and Dagenham); and 27 February 2012 (London Borough of Newham). The Joint Waste DPD forms the waste plan within the Local Development Framework (LDF) of each of the ELWA boroughs. The plan-making process included the development of a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA). SA is a requirement of the Planning and Compulsory Purchase Act (2004) and Strategic Environmental Assessments (SEA) are required by European Directive EC/2001/42, which was transposed into UK law by the Environmental Assessment Regulations for Plans and Programmes (July 2004). The processes have been merged to allow for a single joint appraisal (SA/SEA) to be carried out. For the purpose of this document, this integrated appraisal will be simply referred to as the Sustainability Appraisal (SA).
3. The Joint Waste DPD was submitted to the Secretary of State on 30 November 2010 and public hearings took place during April 2011 as part its examination by an independent Inspector. The conclusion of the Inspector's binding report is the Joint Waste DPD is sound, subject to minor changes. Council received notification of the Inspector's decision on 14 November 2011.

How environmental considerations have been integrated into the Joint Waste DPD

4. The SA prepared for the Joint Waste DPD was developed throughout the plan-making process and submitted to the Secretary of State alongside the draft plan. These stages of the SA process are set out below.

5. The first stage of the SA for the Joint Waste DPD was the production of a scoping report. This comprised the first stage of the SA process required to develop the DPD. The five tasks undertaken to develop the scoping report were as follows: identifying other relevant policies, plans and programmes and sustainability; collection of baseline information; identifying of sustainability issues and problems; developing of the SA framework; and consulting on the scope of the SA. The scoping report established 19 sustainability objectives, which form the SA framework. These objectives were refined following consultation. The scoping report for the Joint Waste was published in October 2006.
6. The next stage of the SA was represented in an interim SA developed for the Joint Waste DPD Issues and Options (“the Issues and Options”) and following the publication of a technical report for the evidence base in October 2006 (with addendum added January 2007). The Issues and Options set out the DPD objectives, baseline information, the policy context for developing the DPD and “target options” for managing waste arisings; the SA published alongside it assessed the objectives against the SA framework, finding no significant conflicts. It also assessed the target options against the SA framework, concluding that Target Option B (meeting suggested higher recycling, composting and recovery targets for municipal solid waste and proposed recycling rates for commercial and industrial waste target option and construction and demolition waste) performed better than Target Option A (meeting current national/regional targets for recycling and composting of municipal solid waste and recovery of municipal solid waste). The interim SA was published for consultation in April 2007.
7. Following the Issues and Options, the suitability of a range of sites was tested against the SA framework in a further iteration of the SA (“the SA of Reasonable Alternative Sites”). This SA examined the impacts of developing sites for waste facilities and informed the Joint Waste DPD Preferred Options Report (“the Preferred Options”). The SA of Reasonable Alternative Sites was published in July 2007.
8. The next stage of the SA was represented in the SA that accompanied the Preferred Options. The Preferred Options set out four preferred policies and seven potential sites for waste facilities; the SA published alongside it assessed these preferred policies and sites against the SA framework. The tasks undertaken by the SA developed for the Preferred Options were: testing the DPD options against the SA framework; developing the DPD options; predicting the effects of the DPD; evaluating the effects of the DPD; considering the ways of mitigating adverse effects and maximising beneficial effects; proposing measures to monitor the significant effects of implementing the DPD; preparing an SA report; and public consultation on the options of the DPD and the SA report. The Preferred Options and the SA developed for it were published in April 2008 and subject to public consultation.
9. The next stage of the SA was published alongside the Proposed Submission Joint Waste DPD (“the Proposed Submission”). This stage of the SA updated the SA undertaken at the Preferred Option stage to reflect the final iterations of the preferred policies (including one additional policy developed following the Preferred Options) and sites, and updated baseline information. Subsequently, in response to stakeholder engagement and changes to the policy framework, minor changes to the draft DPD were subject to further consultation commencing September 2010 (“the Schedule of Advertised Proposed Changes consultation”);

however these changes did not change the findings of the impact assessments (including the SA) prepared in conjunction with the Proposed Submission. The Joint Waste DPD was then submitted to the Secretary of State on 30 November 2010.

10. In addition, the Joint Waste DPD was also subject to the following impact assessments: a Habitats Regulations Assessment (HRA), to determine whether the plan will effect European biodiversity designations; the PPS25 sequential test, as required by PPS 25 – Development and Flood Risk; and Equalities Impact Assessment (EqIA). These have been developed alongside the draft DPD and SA.
11. The Inspector responsible for the examination of the Joint Waste DPD noted in his report that the SA and the HRA were both carried out adequately.
12. A series of minor changes were made to the Joint Waste DPD Submission Draft following its submission to the Secretary of State (via the Planning Inspectorate) on 30 November 2010 and its examination (including public hearings in April 2011). Consultation on these changes (“the Schedule of Post Hearing Minor Changes” and “the Schedule of Post Hearing Minor Changes Relating to Statutory Provisions”) commenced in September 2011. These amendments represented minor changes to the draft DPD; no significant changes to the policies and site allocations in the draft DPD were proposed and the minor changes did not change the findings of impact assessments prepared in conjunction with the draft DPD and submitted to the Secretary of State: the Sustainability Appraisal (SA); Habitats Regulations Assessments (HRA); PPS25 Sequential Test; and Equalities Impact Assessment (EqIA). The Inspector confirmed this in his report.

How the environmental report (SA/SEA) has been taken into account

Scoping report and Joint Waste DPD Issues and Options

13. The development of the DPD commenced with the publication of the SA scoping report in October 2006. The scoping report established the baseline, the sustainability framework, the key sustainability issues and the policy framework which set the context for this SA and for the DPD itself. The scoping report then informed the Joint Waste DPD Issues and Options – primarily through the identification of baseline data and key sustainability issues that were reflected in this early draft of the DPD.
14. Interim, non-statutory iterations of the SA findings were published in the SA developed at the Issues and Options stage and the SA of Reasonable Alternative Sites. These appraised options for waste management and provided a thorough analysis of sites available in the ELWA boroughs against the SA framework, forming evidence for the Preferred Options.

Joint Waste DPD Preferred Options

15. The SA developed alongside the Preferred Options appraised the four preferred policies and the seven potential sites against the SA framework. Specifically, the preferred policies and sites were assessed against the sustainability framework and analysis flagged where compatibilities and incompatibilities were identified. Furthermore, recommendations for the proposed allocation and mitigation measures were established. This SA was subject to consultation alongside the

Preferred Options; as such, stakeholders were able to comment on the compatibilities and incompatibilities established.

Proposed Submission Joint Waste DPD

16. The Proposed Submission refined the Preferred Options and included the final iteration of policies and sites; the SA was revised to reflect changes to the draft DPD made between the Preferred Options and Proposed Submission stages and included updated baseline information.

How the results of consultations have been taken into account

17. SA reports were subject to consultation at the scoping, Issues and Options, Preferred Options and Proposed Submission stages. As statutory consultees, English Heritage, the Environment Agency and Natural England received formal notification of these consultations, consistent with the Environmental Assessment of Plans and Programmes Regulations 2004. Where appropriate, responses on both the SA and the draft SA received from these statutory consultees and from other respondents were incorporated into the final SA and DPD as far as is practicable.
18. Consultation responses: provided additional baseline information; established plans and programmes relevant to the plan-making process; suggested the impact of policy directions on the SA framework (providing mitigation measures); and set out requirements of Habitats Regulations Assessment and the PPS25 Sequential Test. Comments received at the scoping stage are reflected in the SA prepared in conjunction with the Issues and Options and Preferred Options, and comments received at the Preferred Options were incorporate (where appropriate) in the SA prepared in conjunction with the Proposed Submission.

Reasons for choosing the Joint Waste DPD as adopted

19. The SA was integral to policy development and site selection as the DPD progressed. The Joint Waste DPD implements London Plan policies (on waste); in this regard certain policy directions (such as provision of sites for waste facilities) had to be pursued to ensure conformity with Spatial Development Strategy. The SA appraises the policies and sites and includes recommendations as to how negative effects can be avoided or minimised. Importantly, the SA identifies that certain policy directions will need to be pursued simultaneously so that adverse effects arising from one policy direction are mitigated by policy directions set out elsewhere in the draft DPD. The impact of waste site allocations on the sustainability framework is also dependant on the implementation of policies in the DPD, other Local Development Documents and regional and national planning policy.

Measures that are to be taken to monitor the effects of the implementation of the Joint Waste DPD

20. The Joint Waste DPD will be subject to an on-going programme of monitoring so that the effect of the spatial strategy on the sustainability framework can be determined. The monitoring framework includes a broad range of indicators (which also relate to the SA framework) and is set out in the Joint Waste DPD. The regular monitoring programme will demonstrate the effectiveness of policies in the DPD and enable unforeseen impacts arising from implementation of the plan to be identified. Monitoring will also provide information as to whether the

effects predicted by the SA are accurate. Monitoring reports for the Local Development Framework can be viewed on the websites of each of the ELWA boroughs.

For further information please refer to the following websites:

London Borough of Barking and Dagenham - www.lbbd.gov.uk

London Borough of Havering – www.havering.gov.uk

London Borough of Newham – www.newham.gov.uk

London Borough of Redbridge – www.redbridge.gov.uk