

West Sussex Joint Minerals Local Plan  
Soft Sand Review

Strategic Environmental Assessment Post-Adoption Statement  
March 2021

WSCC JMLP SSR SEA Post Adoption Statement

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## Executive Summary

West Sussex County Council and the South Downs National Park Authority (The Authorities) undertook an iterative Sustainability Appraisal (SA) in support of the Soft Sand Single Issue Review (SSR) of the West Sussex Joint Minerals Local Plan 2018 (JMLP). This Post-Adoption Statement is the final stage in the process and accompanies the adoption of the SSR in March 2021.

Policy M2 of the JMLP (adopted in July 2018) required the Authorities to undertake a review of the approach to planning for soft sand.

The review considered:

- the supply and demand of soft sand during the plan period to 2033
- how a steady and adequate supply will be maintained, including the need for site allocations.

The Authorities prepared the SSR to consider those issues and have now adopted revised JMLP Policy M2 Soft Sand and revised JMLP M11 to include three allocations for soft sand extraction, subject to additional consideration of major development when planning applications come forward in the South Downs National Park.

This Post-Adoption Statement sets out how the SA process has informed the development of the SSR. The document explains:

- How the SA process, environmental and sustainability considerations were considered in the process;
- Why the SSR policies have been adopted;
- How reasonable alternatives were considered; and
- How post-adoption sustainability and environmental impacts will be monitored.

## I. Introduction

### I.1 Background

- I.1.1 As mineral planning authorities, West Sussex County Council (WSCC) and the South Downs National Park Authority (SDNPA) ('the Authorities') are required to plan for a steady and adequate supply of minerals in accordance with paragraph 207 of the National Planning Policy Framework 2018 (NPPF).
- I.1.2 The West Sussex Joint Minerals Local Plan (JMLP) was jointly prepared and adopted by the Authorities in July 2018. The Plan sets out strategic policies for a number of different types of mineral for the period to 2033 to ensure that a steady and adequate supply can be maintained.

#### Soft Sand Review

- I.1.3 During the examination hearings of the JMLP in September 2017, the Planning Inspector raised concerns about the soft sand strategy. The Inspector suggested modifications prior to adoption of the JMLP: to delete references to planning for a declining amount of sand extraction from within the National Park; to replace Policy M2 with new wording, requiring the Authorities to undertake a review to address the shortfall in soft sand to the end of the JMLP plan period (2033); and to remove the proposed Ham Farm allocation from Policy M11.
- I.1.4 The SSR considered the strategy for how the shortfall will be met and, as required, the potential need for allocating sites for soft sand extraction.
- I.1.5 Preparation of the SSR was undertaken in accordance with the relevant legislation (including the Planning and Compulsory Purchase Act 2004 and Regulations) to ensure procedural and legal compliance. The Review was also consistent with the National Planning Policy Framework (2018 and 2019).
- I.1.6 The SSR had to commence within six months of adoption of the JMLP and be submitted to the Secretary of State within two years from the commencement of the review. The timetable for the SSR set out in the statutory management plan, the West Sussex Minerals and Waste Development Scheme and the SDNPA Local Development Scheme.
- I.1.7 The adopted SSR policies have been integrated within the JMLP to provide an up-to-date and robust policy for Soft Sand. The SSR covers the following three key matters:
- The identified need for soft sand during the period to 2033;
  - The supply strategy, that is, the options that can, either singularly or in combination, be used to meet any identified shortfall; and
  - The identification of potential sites and, if required, the selection of one or more of those sites to meet identified need.

#### Sustainability Appraisal

- I.1.8 The Authorities prepared SA reports to inform the evolution of the policies within the SSR at each stage of the process.
- I.1.9 This document is the final stage in the SA process as the SSR was adopted by both Authorities in March 2021.

### I.2 Requirements

- I.2.1 The Post-Adoption Statement is required to consider and report on the following:
- How environmental considerations have been integrated into the SSR;

- How the SA Report has been taken into account;
- How opinions have been taken into account, expressed in response to public consultations on the emerging SSR and accompanying SA Report;
- Action taken by the Authorities to provide public access to consultation documents;
- How the results of any consultations with other EU Member States have been taken into account;
- The reasons for choosing the SSR as adopted, in the light of the other reasonable alternatives dealt with; and
- The measures that are to be taken to monitor the significant environmental effects of the implementation of the SSR.

## 2. How Environmental Considerations Have Been Integrated into the SSR

Baseline data and the plans, programmes and policies considered in scoping the SA are set out in the JMLP [SA Scoping Report](#) and the various iterations of the SA. The decision-making criteria and assumptions are set out in each SA document, most recently in Appendix 2 of the [Regulation 19 Sustainability Appraisal](#).

## 3. How the SA Report Has Been Taken into Account

The preparation of the SSR was undertaken in tandem with the SA. The SA informed the decision making around Issues and Options, Preferred Options and the policies within the draft Plans. An update to the SA was undertaken to review the proposed modifications, following the Hearings for the Examination in Public.

### 3.1 Stage A: Scoping

- 3.1.1 The SA process for the JMLP began in 2014 with the production of a Scoping Report which was prepared by LUC on behalf of WSSC and SDNPA.
- 3.1.2 The Scoping stage of SA involves collating information about the social, economic and environmental baseline for the plan area and the key sustainability issues facing it, as well as information about the policy context for the preparation of the plan. The SA Scoping Report presented the outputs of the following tasks.
- 3.1.3 Policies, plans and programmes of relevance to the JMLP were identified and the relationships between them were considered, enabling any potential synergies to be exploited and any potential inconsistencies and incompatibilities to be identified and addressed.
- 3.1.4 In line with the requirements of the Strategic Environmental Assessment (SEA) Regulations, baseline information was collected on the following 'SEA topics': biodiversity, population, human health, flora, fauna, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage and the landscape. Data on social and economic issues were also taken into consideration. This baseline information provides the basis for predicting and monitoring the likely effects of the JMLP and helps to identify alternative ways of dealing with any adverse effects identified. As with the review of plans, policies and programmes, baseline information that was collated in relation to the SA of the West Sussex Waste Local Plan was drawn upon. The baseline information for the SA of the Waste Local Plan was last updated in March 2013, therefore, where relevant, it was updated and revised further to provide an appropriate focus in relation to the JMLP.
- 3.1.5 Drawing on the review of relevant plans, policies and programmes and the baseline information, key sustainability issues for West Sussex were identified (including

environmental problems, as required by the SEA Regulations). Consideration was given to the likely evolution of each issue, if the JMLP were not to be implemented.

- 3.1.6 A Sustainability Appraisal 'framework' was then presented, setting out the SA objectives against which options and subsequently policies, and sites in the JMLP would be appraised. The SA framework provides a way in which the sustainability impacts of implementing a plan can be described, analysed and compared. The SA framework comprises a series of sustainability objectives and subsidiary questions that can be used to 'interrogate' options and draft policies, and sites during the plan-making process. These SA objectives define the long-term aspirations of WSSC and SDNPA with regard to social, economic and environmental issues in relation to minerals development in the plan area. During the SA, the performance of the policy and site options (and subsequently draft policies and site allocations) is assessed against these SA objectives and sub-questions.
- 3.1.7 The review of relevant plans, policies and programmes and the baseline information is updated as necessary during each stage of the SA process to ensure that they reflect the current situation in West Sussex and continue to provide an accurate basis for assessing the likely effects of the JMLP. As such, Chapter 3 and Appendices 2 and 3 of the SA of the JMLP include updated versions of the review of relevant plans, policies and programmes and baseline information.
- 3.1.8 Public and stakeholder participation is an important element of the SA and wider plan-making processes. It helps to ensure that the SA report is robust and has due regard for all appropriate information that will support the plan in making a contribution to sustainable development. The SA Scoping Report for the JMLP was published in June 2014 for a five-week consultation period with the statutory consultees (Natural England, the Environment Agency and Historic England). The comments received during the consultation were then reviewed and addressed as appropriate and a final version of the Scoping Report was published in January 2015.
- 3.1.9 A further consultation with the statutory consultees on the SA Scoping Report was undertaken in September 2018 in preparation for the SSR I&O Consultation in January 2019. The statutory consultees confirmed the SA Scoping Report was fit for purpose subject to the updating of references to certain Plans, Policies and Projects. These were incorporated into the following stages of the SA Report.

## 3.2 Stage B: Development and Refining Options Assessing Effects

- 3.2.1 Developing options for a plan is an iterative process undertaken by the local planning authority usually involving a number of consultations with public and stakeholders. Consultation responses and the SA can help to identify where there may be other 'reasonable alternatives' to the options being considered for a plan, for example, additional sites that may be suitable for development. The SA can also help decision makers by identifying the potential positive and negative sustainability effects of each option.
- 3.2.2 Regulation 12 (2) of the SEA Regulations requires that:

“The (environmental or SA) report must identify, describe and evaluate the likely significant effects on the environment of —

implementing the plan or programme; and

reasonable alternatives, taking into account the objectives and the geographical scope of the plan or programme”
- 3.2.3 It should be noted that any alternatives considered to the plan need to be “reasonable”. This implies that alternatives that are “not reasonable” do not need to be subject to appraisal. Examples include alternatives that do not meet the objectives of the plan or national policy, for example the NPPF, or are not within the geographical scope of the plan.

- 3.2.4 It also needs to be recognised that the SEA and SA findings are not the only factors taken into account when determining a preferred option to take forward in a plan. There will often be an equal number of positive or negative effects identified for each option, such that it is not possible to ‘rank’ them based on sustainability performance in order to select a preferred option. Factors such as public opinion, deliverability, conformity with national policy will also be taken into account by plan-makers when selecting preferred options for their plan.

#### Proposed Submission Draft JMLP (April 2016)

- 3.2.5 The options or reasonable alternatives that have been considered during development of the Draft JMLP April 2016 comprised the following:
- Proposed Vision and Strategic Objectives.
  - Policy Options (covering Minerals Supply, Minerals Resource Safeguarding and Minerals Infrastructure Safeguarding).
  - Potential Minerals Site Options.
- 3.2.6 The Authorities prepared a Background Document which described in detail how the options were identified and their evolution into policies within the JMLP. Table A4.1 in Appendix 4 of the SA for the JMLP summarises the audit trail of the reasonable alternatives considered by WSSC and the SDNPA for each policy area in the MLP at each stage in its development, and explains which alternatives were taken forward into the final JMLP or discounted. The reasonable site options were presented in Appendix 7 (which also includes the appraisal findings for all of the site options).

#### Proposed Submission Draft JMLP (January 2017)

- 3.2.7 As a result of consultation responses received, the Authorities made a number of amendments to the Vision, Strategic Objectives and Policies following the consultation on the Regulation 18 Draft JMLP in April-June 2016. The changes to the Vision, Strategic Objectives and Policies that were made in the Proposed Submission Draft JMLP and the reasons for the changes shown in Table A4.2 in Appendix 4 of that SA report.

#### SSR Issues and Options

- 3.2.8 The SA for the SSR prepared a high-level assessment of the proposed Issues, Options (A to E) and Sites as guided by the original SA for the JMLP and the Inspector’s report for JMLP.

#### SSR Regulation 19 Draft Plan

- 3.2.9 The Regulation 19 SSR considered the original options (A-E) and a sub-set of options relating to Option E, as a combined option was considered the most sustainable. The options for site allocations were considered individually and in combination. The SA assessments guided the policy wording for draft policy M2, the site selections within M1 I, and provided guidance on the development principles necessary for site allocations in Policy M1 I.

#### SSR Modifications

- 3.2.10 The SA of the Modifications concluded that, where changes were made to policy wording or development principles, there would be increased environmental protection, compared to the original draft wording. The assessments are set out in the [Addendum to the SSR Sustainability Appraisal](#).

### 3.3 Stage C: Preparing the SA Report

- 3.3.1 The JMLP SA Report and the Regulation 19 SA for the SSR describe the process undertaken to date in carrying out the SA of the JMLP. The documents set out the findings of the appraisals, highlighting any likely significant effects (both positive and negative, and taking into account the likely secondary, cumulative, synergistic, short, medium and long-term and permanent and temporary effects), making recommendations for improvements and clarifications that may help to mitigate negative effects and maximise the benefits of the plan, and outlining proposed monitoring measures.
- 3.3.2 Each policy option and site was assessed against each SA objective, and a judgement was made with regards to the likely effect that they would have on that objective. These judgements were recorded as a colour coded symbol. An assessment was also made of the combination of options, and the combination of sites.
- 3.3.3 The scoring was reviewed prior to the SA of the SSR Issues and Options (2019). No changes were made to the scoring system at that stage and the same scoring table has been used to assess all stages of the SA for the SSR.

### 3.4 Stage D: Consultation

- 3.4.1 Information about consultations relating to the JMLP is set out in the evidence base. The Authorities consulted on the SA, and options for soft sand, for the Regulation 19 Pre-Submission JMLP between January and March 2017. The SA for the SSR I&O was published for consultation between January and March 2019. The SA report for the Pre-Submission SSR Reg 19 was consulted on between November 2019 and February 2020.
- 3.4.2 Following the Examination of the SSR, the Authorities proposed a number of Main Modifications. It was considered that the modifications increased the level of environmental protection offered by the SSR. These modifications were subject to consultation between November 2020 and January 2021.

### 3.5 Stage E: Monitoring

- 3.5.1 Stage E will follow adoption of the SSR. The SEA Regulations and the Government's SA Guidance require that the Sustainability Report includes a description of measures envisaged concerning monitoring. Monitoring related to the matter of soft sand is considered in Chapter 9 of the Regulation 19 SA Report. The wider monitoring approach is discussed in Chapter 7 of the JMLP SA. The SSR policies will be monitored through the AMR and LAA, as part of the monitoring for the JMLP.

## 4. How Consultation Responses Have Been Taken into Account

The Authorities published a [Statement of Consultation](#) document and a [Summary of Publication Representation and Responses document](#) with the Submission version of the Soft Sand Review in April 2020. These documents set out how responses to each draft version of the SSR have been considered throughout the plan preparation process for the Plan and the SA.

The Authorities considered the representations made at examination when preparing the schedule of modifications for consultation. When preparing the final report of the SSR Examination in Public, the Inspector considered the representations made in response to the Modifications consultation held between 9 November 2020 and 8 January 2021.

## 5. Action Taken by the Authorities to Provide Public Access to Documentation

Documentation was made available in line with the Statements of Community Involvement of [West Sussex County Council](#) and the [South Downs National Park Authority](#) throughout the Regulation 18 and Regulation 19 consultations.

Reports were made available online and at deposit points across the county. Interested parties could also view the documents at County Hall in Chichester and at the South Downs Centre in Midhurst. The Authorities posted copied of documents to individuals on request.

During the Covid-19 restrictions in 2020 and 2021, authorities made all documents available online as soon as practicable. Documents were posted to individuals on request. When the restrictions permitted, individuals could view documents by appointment at County Hall in Chichester and at the South Downs Centre in Midhurst.

## 6. Results of Transboundary Consultations with EU Member States

No transboundary consultations were deemed necessary as part of the SSR process.

## 7. The Reasons for Choosing the SSR as Adopted, in Light of Alternatives

A full explanation of the options considered as part of the SSR are set out in the [Regulation 19 Sustainability Appraisal](#) and the following appendices:

- Appendix 3 SA Tables: Options A, B, C, D
- Appendix 4 SA Tables: Issues and Revised Options (E1, E2, E3, E4, E5, E6)
- Appendix 5 SA Tables: Site Assessments

The adopted SSR contains modifications to the plan that was submitted for examination. Consideration of the modifications is set out in the [Addendum to the Sustainability Appraisal](#).

### 7.1 SSR policies and changes to the Joint Minerals Local Plan

- 7.1.1 The Sustainability Appraisal of Site Options is set out in Appendix 5 of the Regulation 19 Sustainability Appraisal. Appendix 6 considers the proposed changes to policies M2 and M1 I and provided advice for policy wording. Policies M2 and M1 I were subject to modifications at the examination and those modifications were considered in the [Addendum to the Sustainability Appraisal](#).

### 7.2 Alternatives to the SSR as adopted and Reasoning on Alternatives

- 7.2.1 The alternatives to the adopted SSR were considered in detail within the SA documents as set out above and the full assessments are set out in the [Appendices to the Regulation 19 Sustainability Appraisal](#).

## 8. Measures to Monitor Significant Environmental Effects

Minerals policies within West Sussex are monitored and report on annually through the [West Sussex Joint Minerals Local Plan and Waste Plan Monitoring Report](#). The wider policies within the JMLP provide a strengthened framework for monitoring the environmental and sustainability impacts of the updated policies for soft sand development.