

Cheshire East Local Plan

Draft Minerals and Waste Plan Interim Sustainability Appraisal Non-technical Summary

November 2022



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1 Introduction

Background

1.1 Cheshire East Council (CEC) is undertaking a Sustainability Appraisal (SA) in support of the emerging Minerals and Waste Plan (MWP). SA of Local Plans is a legal requirement; Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out SA for a Local Plan during its preparation.

1.2 SA is a systematic process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.⁽¹⁾ The National Planning Policy Framework (2021) (NPPF) identifies the SA process as an integral part of plan-making and should consider all likely significant effects on the environment, economic and social factors.

Purpose and objectives of the MWP

1.3 The Council is committed to putting in place a comprehensive set of up-to-date planning policies to support our ambition of making the Borough an even greater place to live, work and visit. The first part of the Council's Local Plan, the Local Plan Strategy (LPS), was adopted at Council on 27 July 2017. The second part of the Local Plan is the Site Allocations and Development Policies Document (SADPD), which was submitted to the Secretary of State on 29 April 2021 for examination. The MWP is a stand-alone document that forms part of the Council's Local Plan, with a plan period of 20 years from 2021 to 2041. An initial call for minerals sites exercise was undertaken in 2014, followed by a consultation on the issues to be addressed through the MWP, which took place between 24 April and 5 June 2017. This was accompanied by a separate 'call for sites' exercise, to enable interested parties to submit sites or areas for potential allocation for mineral and waste uses. A consultation on the accompanying Draft Sustainability Appraisal Scoping Report was also undertaken between 27 February and 10 April 2017.

1.4 Once adopted the MWP will set out the proposed strategy for meeting the Borough's mineral and waste needs to 2041. It will replace the Cheshire Replacement Minerals Local Plan (1999) (CRMLP) and the Cheshire Replacement Waste Local Plan (2007) (CRWLP).

1.5 The MWP will:

1. Allocate sites and areas so that the Council can sustainably meet identified requirements for the provision of minerals and the management of waste.
2. Set out policies to guide decisions on planning applications for minerals and waste in the Borough.

Objectives

1.6 The Draft MWP identifies a Vision and 14 objectives to achieve it, which will replace the Vision and Strategic Priorities identified for minerals and waste set out in the LPS, taking account of the wider policy context.

1 Planning Practice Guidance (PPG): Strategic environmental assessment and sustainability appraisal.



Objective OB 1

Tackling climate change

To minimise the causes of climate change by taking appropriate mitigation measures to reduce greenhouse gas and carbon emissions through energy efficient design and operation, including minimising the use of non-renewable energy sources and vehicle movements, for example by using appropriate technology, co-locating waste facilities or by processing minerals at extraction sites.

To minimise the impacts of climate change by taking mitigation measures such as avoiding inappropriate development in areas at high risk of flooding.



Objective OB 2

Reducing transport impacts

To explore realistic opportunities to minimise the transport impacts on climate change, local communities and the environment from the movement of minerals and waste by road, through the greater use of more sustainable transport alternatives (such as rail, waterways or pipelines) and the preferred use of non-minor roads for lorry movements.

Objective OB 3

Making development acceptable within its wider locality

To minimise the impacts and maximise the benefits of minerals and waste development on local communities and the environment, both natural and historic, by requiring appropriate measures of mitigation and enhancement to make development acceptable.

Objective OB 4

Maximising biodiversity net gain

To maximise opportunities to deliver measurable improvements for biodiversity net gain by creating or enhancing habitats in association with proposed minerals and waste development. This will be achieved on site, off site or as a combination of measures.

Minerals

Objective OB 5

Promoting the prudent and efficient use of mineral resources

To promote the prudent and efficient use of the Borough's mineral resources by encouraging the maximum practical recovery of aggregate from secondary and recycled material in preference to the use of primary aggregates, as well as using substitute aggregates.

To make sure that applications for new primary mineral reserves are considered appropriate and sustainable in resource use terms when compared with estimated unmet need requirements and the NPPF requirement to make "best use" of mineral resources to secure their long-term conservation.



Objective OB 6

Ensuring an adequate and steady minerals supply

To seek to deliver an adequate and steady supply of aggregate sand and gravel, silica sand, salt, crushed rock and building stone to help meet the planned growth needs of Cheshire East and to make an appropriate contribution to meeting wider needs outside of the Borough, particularly for strategically important minerals such as silica sand and salt.

Objective OB 7

Enabling appropriate oil and gas development

To protect local communities and the environment within Cheshire East from any unacceptable impacts associated with potential oil and gas development, whilst acknowledging the contribution that an acceptable proposal for such development can make to help achieve the national need for energy security.

Objective OB 8

Ensuring high quality restoration and aftercare

To restore mineral sites at the earliest opportunity and to the highest possible standards with an appropriate afteruse that positively contributes to the area through a range of factors including landscape character, nature conservation and enhancement, enhanced ecological networks, countryside access and recreation, local amenity and the local economy.

Objective OB 9

Safeguarding mineral resources, facilities and infrastructure

To safeguard important mineral resources from unnecessary sterilisation by non-mineral development so they remain available for potential future use, as well as safeguarding mineral facilities (including those used to process and recycle secondary aggregate) and infrastructure that support the supply of minerals in the Borough.



Waste

Objective OB 10

Achieving net self-sufficiency

To seek to achieve net self-sufficiency for managing waste generated within the Borough in the long term, through supporting appropriate proposals for waste management that help meet identified capacity gaps, move waste up the 'Waste Hierarchy' and minimise disposal to landfill.

Objective OB 11

Implementing the proximity principle

To seek to minimise the distance that mixed municipal waste generated in Cheshire East is moved by road through the development of a network of facilities, which deliver the Borough's identified waste management capacity requirements, in locations as close as possible to the main sources of waste or to the place where the output is to be used, such as the digestate from anaerobic digestion.

Objective OB 12

Prioritising brownfield land use

To prioritise the use of previously developed land or allocated employment land over undeveloped land outside of settlement boundaries for providing sites for waste management purposes, while recognising that a rural location close to a farm, for example, may be preferable for amenity reasons in some limited instances such as the provision of compost sites or anaerobic digestion facilities where odour or bioaerosols may be an issue.

Objective OB 13

Reusing or restoring waste sites

To restore to a high standard those waste management sites that are no longer required or acceptable in a particular location, so they can be sustainably used for other appropriate purposes to the benefit of the local community.



Objective OB 14

Safeguarding waste management capacity and facilities

To safeguard waste management capacity in the Borough to meet identified needs, both current and proposed, from proposals for non-waste development. This includes the protection of permitted waste management facilities required to meet locational needs and the prevention of non-waste proposals close to waste management facilities that will prejudice their full operation.

Purpose and structure of this Interim SA Report

1.7 This interim SA Report has been produced and is published alongside the Draft MWP, under Regulation 18 of the Local Planning Regulations, to demonstrate that the SA process has formed an integral part of plan-making. It sets out the method and findings of the SA at this stage, including the consideration of any reasonable alternatives.

1.8 Following this introductory Chapter, the Report is structured as follows:

- Chapter 2 sets out the scope of the SA, including key issues and SA objectives
- Chapter 3 sets out how reasonable alternatives have been identified, the findings of the alternatives appraisal and the reasons for selecting the preferred approach
- Chapter 4 sets out the findings of the appraisal of the Draft MWP at this stage
- Chapter 5 sets out the cumulative effects of the Draft MWP
- Chapter 6 sets out the next steps and initial thoughts on monitoring

1.9 Documents referenced with the 'DMW' prefix are available to view in the Draft MWP consultation library.



2 Scope of the SA

2.1 The scope of the SA is shown through a list of sustainability objectives established through SA scoping to provide a methodological framework for appraisal. The objectives fall under nine SA topics determined through the baseline review, policy context, key sustainability issues, and consultation, which are:

- Biodiversity, flora and fauna
- Population and human health
- Water and soil
- Air
- Climatic factors
- Transport
- Cultural heritage and landscape
- Social inclusiveness
- Economic development

2.2 It should be noted that the objectives have been refined to better reflect the key issues in the Borough set out in Table 2.1 of this Report. Any additions are illustrated as orange and underlined, with deletions marked as ~~orange and strikethrough~~.

Table 2.1 Sustainability Topics and Objectives

Topics	Sustainability Objectives
Biodiversity, flora and fauna	Protect, maintain and enhance biodiversity, habitats, soils, species, geodiversity and important geological features; particularly those that are designated.
Population and human health	Create an environment that promotes healthy and active lifestyles, <u>and reduce inequalities in health</u> .
	<u>Meet the health and social care needs of an ageing population.</u>
	<u>Create a safe environment and reduce levels of and the fear of crime.</u>
Water and soil	Positively address the issues of water quality and quantity, and manage flood risk in the Borough .
	Achieve sustainable waste management through adhering to the principles of the Waste Hierarchy.
	Manage sustainable mineral extraction, and encourage their recycling/re-use, to provide a sufficient supply to meet social and economic needs, whilst minimising impacts on the environment and communities and safeguarding resources for future generations.
	Reduce the consumption of natural resources, protect and enhance green infrastructure and high quality agricultural land, and optimise the re-use of previously developed land, buildings and infrastructure.
Air	Manage the impacts of development and associated activities to positively address all forms of air <u>air</u> pollution.



Topics	Sustainability Objectives
	<u>Make sure that air quality improves and falls below objective limits.</u>
Climatic factors	To adapt to and mitigate the impacts of climate change.
	Minimise energy use, promote energy efficiency and high quality design, and increase the generation of energy from <u>by decentralised and/or</u> renewable resources.
	<u>Encourage the use of sustainable transport.</u>
Transport	Create sustainable communities that benefit from good access to jobs, services, facilities and sustainable forms of transport, including walking, cycling and public transport.
	<u>Reduce reliance on private transport.</u>
Cultural heritage and landscape	Conserve and enhance the area’s heritage (including its setting), landscape character, and townscapes; particularly those that are designated.
	<u>Protect, enhance and provide green infrastructure.</u>
Social inclusiveness	Provide an appropriate quantity and quality of housing to meet the needs of the Borough. This should include a mix of housing types, tenures and affordability.
	Consider the needs of all sections of the community in order to achieve high levels of equality, diversity and social inclusion.
	<u>Create a safe environment to live in and reduce fear of crime</u>
	Maintain and/or create vibrant rural communities.
	Maintain and enhance community services and amenities to sustain the existing and future community of the Borough.
	<u>Address levels of deprivation by improving improve access to education and training, and the links between these resources and employment opportunities.</u>
Economic development	To promote a sustainable, competitive and low-carbon economy that benefits from a range of innovative and diverse businesses in both urban and rural areas.
	To maintain and enhance the vitality and viability of town and village centres with a balanced provision of retail, leisure, visitor and cultural facilities.
	Positively manage the Borough's diverse rural economy.
	<u>Increase the supply of labour through improving access to job opportunities.</u>



3 SA of alternatives

Introduction

3.1 Chapter 3 of the SA Report explains the work undertaken to date to develop reasonable alternatives for the emerging MWP, focusing on the following elements:

- the approach to minerals and waste development in the Borough
- the consideration of site options, using a detailed site selection process to identify candidate sites for development in the MWP

3.2 The MWP will replace LPS Policies SE 10 ‘Sustainable Provision of Minerals’ and SE 11 ‘Sustainable Management of Waste’. These policies are largely general in nature and reproduce planning guidance and act as a marker to explain how mineral and waste matters will be covered in the Council’s subsequent minerals and waste local plan. Since the LPS was adopted, the Council has undertaken further work on the minerals and waste evidence base and as a result now has a better understanding of minerals and waste matters in Cheshire East. This is reflected in the detailed policies contained within the Draft MWP. The MWP does not use apportionment to determine supply requirements for aggregate sand and crushed rock for the reasons given in ¶¶3.30 and ¶¶ 3.67 to 3.71 of the Draft MWP. Therefore, this criteria in LPS Policy SE 10 (together with accompanying Table 13.2 and relevant justification text) needs to be formally replaced by the MWP and is not seen as a reasonable alternative. In addition, the Draft MWP does not currently identify any areas for new waste management facilities, but uses a criteria-based policy to determine any applications for new facilities. Further evidence base work is required on waste needs for the whole plan period but as things stand this aspect (criterion 2.i) of Policy SE 11 is also inconsistent with the Draft MWP and is not seen as a reasonable alternative. It is for these reason that the Council intends to replace LPS Policies SE 10 and SE 11 in their entirety through the relevant policies in the MWP.

Objectives

Developing the reasonable alternatives

3.3 The Draft MWP identifies a Vision and 14 objectives to achieve it, which will replace the Vision and Strategic Priorities identified for minerals and waste set out in the LPS, taking account of the wider policy context. There is no regulatory requirement to develop reasonable alternatives for Development Plan Document Objectives, only that they be tested against the SA Framework (SAF). The 14 Objectives subject to testing are set out in ¶1.6 of this non-technical summary.

Appraising the Objectives

3.4 The following section sets out the method and summary appraisal findings for the Objectives.

3.5 A detailed method for the appraisal of the Objectives is presented in Appendix C of the SA, however, in summary the appraisal seeks to categorise the performance of each Objective against the sustainability topics in terms of ‘significant effects’ (using red or green shading).



3.6 A summary of the appraisal findings for the Objectives identified in ¶1.6 of this Report is provided below. Detailed appraisal findings are presented in Appendix C of the SA.

3.7 OB 1 focuses on tackling climate change through various measures including the co-locating of waste facilities, which could have a negative effect on cultural heritage and landscape, and economic development topics; however, mitigation is available through LPS, emerging SADPD and proposed MWP Policies. OB 1 was found to have a potential positive effect against topics relating to biodiversity, flora and fauna, population and human health, water and soil, air, transport and climate change.

3.8 OB 2 focuses on reducing transport impacts including greater use of pipelines, which has the potential to minimise vehicle movements for example, with potential positive effects against topics relating to biodiversity, flora and fauna, population and human health, air, transport, and economic development. However, it could result in negative effects on water and soil, cultural heritage and landscape and economic development if the pipelines are new (either under or overground); but mitigation is available through LPS, emerging SADPD and proposed MWP Policies.

3.9 OB 3 focuses on making development acceptable in its wider locality including for local communities and the natural and historic environment. This has the potential for a positive effect on biodiversity, flora and fauna, water and soil, air, population and human health, cultural heritage and landscape, and economic development.

3.10 OB 4 focuses on maximising biodiversity net gain. This has the potential for a positive effect against topics relating to biodiversity, flora and fauna, population and human health, and water and soil.

3.11 OB 5 focuses on prioritising secondary, recycled and substitute aggregates, which could minimise the use of primary aggregates and potentially create jobs. This could have a positive effect on topics relating to biodiversity, flora and fauna, population and human health, water and soil, air, transport, cultural heritage and landscape, social inclusiveness, and economic development.

3.12 OB 6 focuses on ensuring an adequate and steady mineral supply to meet needs (including the provision of local building stone) and could provide jobs. This has the potential for a positive effect against topics relating to cultural heritage and landscape, social inclusiveness, and economic development. However, it could also have a negative effect on cultural heritage and landscape, as well as on biodiversity, flora and fauna, water and soil, population and human health, transport, and air; but mitigation is available through LPS, emerging SADPD and proposed MWP Policies and there is also the potential for positive effects through restoration.

3.13 OB 7 focuses on enabling appropriate oil and gas development (providing jobs) whilst protecting local communities and the environment from unacceptable impacts. This has a potential positive effect against topics relating to social inclusiveness and economic development. However, it could have negative effects on biodiversity, flora and fauna, water and soil, air, population and human health, transport and cultural heritage and landscape; but mitigation is available through LPS, emerging SADPD and proposed MWP Policies.



3.14 OB 8 focuses on ensuring high quality restoration and aftercare for mineral sites, with uses that are appropriate and contribute to the area and could attract species. This has a potential positive effect against topics relating to biodiversity, flora and fauna, population and human health, air, water and soil, transport, cultural heritage and landscape, social inclusiveness, and economic development. However, it could also have a negative effect against biodiversity, flora and fauna; but mitigation is available through LPS, emerging SADPD and proposed MWP Policies.

3.15 OB 9 focuses on safeguarding mineral resources, facilities and infrastructure to support the supply of minerals, and provide jobs, which could have a negative effect on biodiversity, flora and fauna, water and soil, air, cultural heritage and landscape, population and human health, and transport; however, mitigation is available through LPS, emerging SADPD and proposed MWP Policies and there is also the potential for positive effects through restoration. OB9 was found to have a positive effect against topics relating to social inclusiveness, and economic development.

3.16 OB 10 focuses on achieving net self-sufficiency including minimising the disposal of waste to landfill. This could have a positive effect on biodiversity, flora and fauna, population and human health, air, transport, cultural heritage and landscape, economic development, and water and soil.

3.17 OB 11 focuses on implementing the proximity principle, which seeks to minimise the distance that mixed municipal waste generated in the Borough moves. This has the potential for a positive effect against topics relating to biodiversity, flora and fauna, population and human health, air, transport, cultural heritage and landscape, and economic development.

3.18 OB 12 focuses on prioritising brownfield land use and recognises that rural locations can be preferable for amenity reasons. This could have a positive effect against topics relating to population and human health, air, water and soil, cultural heritage and landscape, and economic development. However, it has the potential for a negative effect on biodiversity, flora and fauna; but mitigation is available through LPS, emerging SADPD and proposed MWP Policies.

3.19 OB 13 focuses on using or restoring waste sites to the benefit of local communities. This has the potential for a positive effect on topics relating to biodiversity, flora and fauna, population and human health, water and soil, air, transport, cultural heritage and landscape, social inclusiveness, and economic development. However, it could also have a negative effect on biodiversity, flora and fauna; but mitigation is available through LPS, emerging SADPD and proposed MWP Policies.

3.20 OB 14 focuses on safeguarding waste management capacity and facilities in the Borough. This is likely to have a positive effect on social inclusiveness, and economic development. However, it has the potential for a negative effect on topics relating to biodiversity, flora and fauna, water and soil, air, transport, and cultural heritage and landscape; but mitigation is available through LPS, emerging SADPD and proposed MWP Policies and there is also the potential for positive effects through restoration.

3.21 In conclusion, the appraisal has found that, read as a whole, the objectives of the MWP are unlikely to have any significant negative effects. Ultimately, the nature and significance of effects against most topics will be dependent on how they are taken forward,



both through final policy proposals and subsequent implementation. It is considered that mitigation provided through Local Plan Policies and available at the project level should make sure that there are no significant negative effects.

Minerals and waste requirement options

Developing the reasonable alternatives

3.22 The purpose of the MWP is to set detailed planning policies to guide planning decisions and allocate sites for minerals and waste development.

3.23 The Draft Minerals Site Selection Report [DMW 03] and Draft Waste Site Selection Report [DMW 04] set out, respectively, the requirements for minerals and waste development. Options have been developed where possible, however, in the case of non-aggregates and salt an adequate and steady supply is needed, to which there is not considered to be a reasonable alternative. Any reasonable alternative options would be subject to SA.

3.24 The 'Background paper on the requirement and forecasting of aggregate need in Cheshire East' [DMW 07], informed by evidence, considered a number of alternative options for aggregates.

3.25 Within Cheshire East there are a range of mineral resources. The approach to forecasting the need for minerals and ensuring an adequate and steady supply is maintained is dependent on the type of mineral being worked.

3.26 The Council considered four possible reasonable alternatives for determining the aggregate sand requirement in the MWP. These comprised:

- apportionment (as identified in the LPS);
- 10 year sales average;
- 3 year sales average; and
- 10 year sales average plus 2% annual uplift

3.27 The Council considered five possible reasonable alternatives for determining the crushed rock requirement in the MWP. These comprised:

- apportionment (as identified in the LPS);
- 10 year sales average;
- 3 year sales average;
- 10 year sales average plus 2% annual uplift; and
- average sub-regional importation and consumption data plus 2% annual uplift

3.28 For non-aggregate sandstone (building stone), non-aggregate sand (silica) and salt and brine (controlled solution mining) it was found that:

- The MWP approach is to maintain an adequate and steady supply for non-aggregate uses at individual sites using a proxy forecast of 10 years average sales. This mirrors the NPPF guidance on aggregate crushed rock. In the absence of any national guidance on landbanks for non-aggregate sandstone (building stone), it is considered that there



are no reasonable alternative options at this time for the provision of non-aggregate sandstone (building stone).

- The MWP approach is to plan for at least 10-year stock of permitted reserves at individual silica sand sites and at least 15 year permitted reserves where significant new capital is required, as identified in the NPPF and repeated in ¶3.37 of the draft MWP. Taking the above into account, it is considered that there are no reasonable alternative options at this time for the provision of non-aggregate sand (silica).
- In the absence of any national guidance on landbanks and a lack of up-to-date sales and remaining reserve information for salt, the Council proposes not to quantify the need for salt in the MWP. However, the Council has prepared a salt policy that gives priority to any new reserve requirements being in the form of identified preferred extensions to existing brinefields. This acknowledges the national and local importance of salt as a mineral resource and meets the requirement in guidance for ensuring a steady and adequate supply⁽²⁾ to meet society's needs over the period 2021 to 2041. No alternative site proposals for salt extraction have been proposed by the industry. Taking the above into account, it is considered that there are no reasonable alternative options at this time for the provision of salt.

3.29 In relation to waste, residual and inert waste are to be managed outside of the Borough, which is envisaged to continue, and there is sufficient capacity to manage the other waste streams to 2030.⁽³⁾ Therefore, there are no reasonable alternative options to be appraised for waste (or minerals) at this stage.

Site options

Site selection process

3.30 The Council used a detailed site selection process (SSM) to carry out the appraisal of site options to identify candidate sites for development in the MWP. This process integrated SA as the criteria used as part of the SSM were in line with the SA framework.

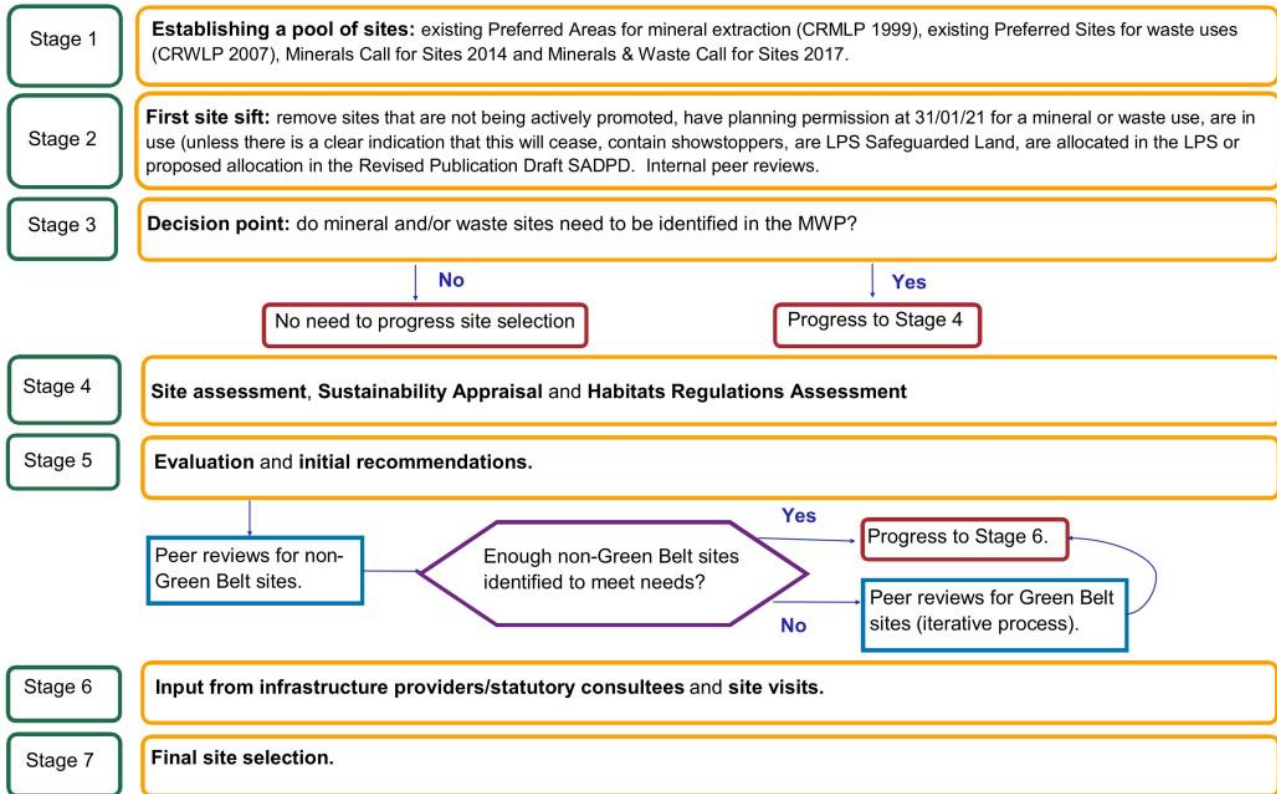
3.31 The SSM is comprised of a series of Stages, as shown in Figure 3.1. The first two stages are set out in further detail in ¶¶3.32 to 3.36 of this Report as these are the stages that have led to the identification of the short list of reasonable site options.

² NPPF, ¶214a-c, MHCLG, July 2021.

³ This position will be revised once the findings of an updated WNA to the end of the Plan period in 2041 are available.



Figure 3.1 Key stages in the site selection process



Stage 1: Establishing a pool of sites

3.32 The longlist of mineral sites and areas requiring assessment have been derived from three sources. Firstly, those undeveloped ‘preferred extension areas’ identified in the CRMLP. It is important that the Council considers whether any of these ten preferred extension areas, which have been identified as suitable through a previous local plan preparation process (albeit some time ago), still has potential for allocation for mineral purposes as part of this current process. This will be achieved by applying the current assessment methodology to them.

3.33 These comprised extensions to seven existing silica sand sites, two controlled brinefields and one existing sand and gravel site. The CRMLP also identified ‘areas of search’. However, these will only be considered as part of this process if they have been resubmitted through either of the subsequent call for sites exercises undertaken by the Council. This is because there is less information available on these areas, which can be extensive in terms of their geographical footprint, and it is important for the Council to show that there is currently interest from the minerals industry in promoting a particular area, namely that there is an indication that an area of search covers mineral resource areas where there is a real prospect that proposals for extraction will come forward and be delivered within the plan period.

3.34 The Stage 1 assessment also looks at whether any of the 13 preferred sites for waste management facilities located in Cheshire East and identified in the CRWLP, are still suitable for allocation in the MWP.

3.35 The second source of sites are those submitted following the Council’s first call for sites exercise undertaken during 2014. This exercise was limited to mineral sites only, so there are no waste sites to assess from this source. While an assessment of these 29 mineral



sites was undertaken at the time and the results published on the Council's website, these need to be reconsidered in line with the assessment methodology detailed in the Site Selection Methodology Report [DMW 02]. The final source of sites to be assessed are the 27 mineral sites or areas and 20 waste sites submitted following the Council's most recent call for sites exercise in 2017.

Stage 2: First site sift

3.36 The aim of this Stage was to produce a shortlist of sites for further consideration in the site selection process. This entailed taking the long list of sites from Stage 1 and sifting out any that:

- are not being actively promoted or are considered unlikely to be available within the plan period
- have subsequently been granted planning permission for a mineral or waste use by 31/01/21
- are in use (unless there is clear indication that this will cease)
- are identified in the LPS as Safeguarded Land
- are an allocated site in the LPS or Revised Publication Draft SADPD

Appraising the site options

3.37 In summary the appraisal employs GIS datasets, site visits⁽⁴⁾, measuring, qualitative analysis and planning judgement to see how each site option relates to various constraint and opportunity features.

3.38 Several evidence base documents and assessments have informed the Council's decision-making process to determine the preferred approach to establish and appraise the site options including the SSM [DMW 02], SA [DMW 05] findings, Habitats Regulations Assessment (HRA) findings [DMW 06], the Local Aggregates Assessment 2021, the Council's Sand Study 2019, the Waste Needs Assessment (2017) and its refresh (2019) and the 'Background paper on the requirement and forecasting of aggregate need in Cheshire East' [DMW 07].

3.39 The MWP includes a Vision for Cheshire East to develop 'a sustainable approach to minerals and waste', which includes providing 'sufficient capacity for mineral supply and waste management to meet identified needs in the Borough and, where appropriate, to help contribute to meeting wider needs'. To help meet this Vision, several options were developed, although these were not appraised through the SA as there were no reasonable alternatives to the approaches proposed in the Draft MWP at that time⁽⁵⁾. The preferred approach was established through work carried out on the 'Background paper on the requirement and forecasting of aggregate need in Cheshire East' [DMW 07] and appraised through the HRA.

3.40 The SSM was used to determine if there was a need to allocated sites/areas for minerals and/or waste, taking into account the mineral and waste requirements identified in the individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively).

4 In this particular instance (for the Draft MWP), it was not possible to undertake site visits due to COVID-19. Instead, a desk based assessment has been undertaken, which utilises aerial photography and it is proposed to undertake site visits prior to the publication of the next iteration of the assessment work.

5 As set out in the 'Background paper on the requirement and forecasting of aggregate need in Cheshire East' [DMW 07]



The Council used the outcomes of the call for sites process, and existing Preferred Areas for minerals extraction (in the CRMLP) and Preferred Sites for waste uses (in the CRWLP), which formed the initial pool of sites and then undertook a 'site sift' for those sites that did not meet detailed requirements. Once a decision had been made to allocate sites/areas, then a traffic light assessment was carried out to help determine what constraints and issues a site had. The assessment covered issues such as ecology, viability, accessibility, and flooding for example. Occasionally the traffic light assessment indicated that further work was required on, for example, flood risk, which will require a Flood Risk Assessment to be carried out. The options were also subject to HRA.

3.41 Mineral development in Green Belts and engineering operations are not considered to be inappropriate development in national planning guidance, unlike many other forms of development, and no waste sites were assessed as residual and inert waste are to be managed outside of the Borough, which is envisaged to continue, and there is sufficient capacity to manage the other waste streams to 2030.⁽⁶⁾

3.42 In line with the SSM, site options were appraised using criteria linked to the SA Framework. The findings of this work and the outline reasons for their progression or non-progression are provided in Appendix E of the SA Report.

6 This position will be revised once the findings of an updated WNA to the end of the Plan period in 2041 are available.



4 SA of the Draft Plan

Introduction

4.1 Chapter 4 of the SA Report presents an appraisal of the Draft MWP. Appraisal findings are presented under nine SA topic headings (see Table 2.1 of this NTS), broken up into the following headings to give stand alone consideration to the various elements of the Draft MWP:

- Minerals
- Site allocations
- Waste
- Development management
- Appraisal of the draft plan as a whole

4.2 Each narrative ended in concluding paragraphs, which are repeated here.

Biodiversity, flora and fauna

4.3 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), offer a high level of protection for designated and non-designated sites of biodiversity importance and look to enhance provision, where possible. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.4 The appraisal found that there is the potential for residual medium to long term significant negative effects, which are difficult to mitigate, because of the proposed site allocations, predominantly due to the loss of greenfield land and potential loss and fragmentation of habitats. However, this assessment will be reconsidered in light of consultation responses received on the Draft MWP. Additionally, minerals can only be extracted where they are found, which reduces the scope to completely avoid sensitive areas when allocating sites for minerals development. There is also potential for residual long term minor negative effects because of the proposed site allocations, predominantly due to site's located in aircraft consultation zones. However, Policies in the LPS, emerging SADPD and Draft MWP provide sufficient mitigation to make sure that there will not be any significant residual negative effects in relation to this.

4.5 It is recommended that any proposed should seek a net gain for biodiversity, where possible, in line with Government guidance/requirements.

Population and human health

4.6 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), look to provide opportunities for active transport and offer a high level of protection for areas of open space, where possible. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for



minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.7 The appraisal found that, generally, there is the potential for residual medium term significant negative effects because of the proposed site allocations, predominantly due to noise, vibration, light pollution, and accessibility. Additionally, minerals can only be extracted where they are found, which reduces the scope to completely avoid sensitive areas when allocating sites for minerals development. There is also potential for residual medium term minor negative effects because of the proposed site allocations, predominantly due to the potential disruption to water, gas and electricity supply through rerouting. Policies in the LPS, emerging SADPD and Draft MWP provide sufficient mitigation to make sure that there will not be any significant residual negative effects in relation to this.

4.8 It is recommended that any proposal should seek a net gain for open space, where possible, along with improvements to provide further opportunities for active travel.

4.9 A Health Impact Assessment has been carried out for the Draft MWP (see Appendix H of the SA report). It found that the Draft MWP, (in conjunction with the LPS and emerging SADPD), seeks to meet the needs of all socioeconomic and equalities groups through policy. It has a positive impact particularly for unemployed people, children aged 5 to 12, low income households, and families with children, with any negative impacts mitigated through policy or the use of planning conditions.

Water and soil

4.10 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), look to reduce the risk of flooding and manage surface water runoff where possible. They also seek to remediate land contamination and protect water quality. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.11 The appraisal found that generally, there is the potential for residual medium term minor negative effects because of the proposed site allocations, predominantly due to a potential increase in paved surfaces, flooding, drainage, water quality or resource issues, potential loss of Grade 3a agricultural land, competing uses for water, and disruption to/potential contamination of water supply. Policies in the LPS, emerging SADPD and Draft MWP provide sufficient mitigation to make sure that there will not be any significant residual negative effects.

4.12 It is recommended that any proposal should seek a reduction in surface water runoff and minimise the risk from flooding, where possible as well as minimise the impact on ground and surface water quality.



Air

4.13 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), look to provide opportunities for travel by means other than private vehicle, and seek to reduce the need to travel where possible. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.14 The appraisal found that, generally, there is the potential for residual medium term significant negative effects because of the proposed site allocations predominantly due to noise, vibration and light pollution, and accessibility. Additionally, there is potential for residual medium term minor negative effects because of the proposed site allocations, predominantly due to an increase in atmospheric pollution likely to arise as a result of increased traffic through the delivery of minerals development. Policies in the LPS, emerging SADPD and Draft MWP provide sufficient mitigation to make sure that there will not be any significant residual negative effects in relation to this.

4.15 It is recommended that any proposal should seek to provide further opportunities to reduce vehicle movements in relation to the transportation of minerals and provide opportunities for employees to use sustainable transport modes.

Climatic factors

4.16 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), seek to mitigate and adapt to climate change and its impact where possible. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.17 The appraisal found that there is the potential for a residual medium term minor positive effects due to the potential to secure 10% of predicted energy requirements from decentralised, renewable or low carbon sources. It should also be acknowledged that some proposals for various types of renewable energy fall within permitted development rights.

4.18 It is recommended that any proposal should seek to provide renewable or low carbon energy, where possible.

Transport

4.19 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), seek to provide services in appropriate locations around the Brough to provide opportunities for communities to access them, where possible. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.



4.20 The appraisal found that, generally, there is the potential for residual medium term significant negative effects because of the proposed site allocations, predominantly due to accessibility.

4.21 It is recommended that any proposal should seek to provide access to sustainable transport modes, where possible.

Cultural heritage and landscape

4.22 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), offer a high level of protection for the Borough's landscape and historic environment and look to enhance these assets, where possible. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.23 The appraisal found that, generally, there is potential for residual medium term minor negative effects because of the proposed site allocations predominantly due to proximity to LLDs and location away from settlements. Additionally, there is potential for residual long term negative effects because of the proposed site allocations due to harm on heritage assets; the significance of which will be determined through a Heritage Impact Assessment or a desk-based archaeological assessment. Policies in the LPS, emerging SADPD and Draft MWP provide sufficient mitigation to make sure that there will not be any significant residual negative effects.

4.24 It is recommended that any proposal should seek to provide landscaping schemes where possible, along with sensitively designed development proposals.

4.25 A Rural Proofing Assessment has been carried out for the Draft MWP (see Appendix I of the SA report). The Rural Proofing Assessment has highlighted that the Draft MWP seeks to achieve improvements that will benefit the rural areas of the Borough. It promotes access to and the retention of sustainable transport and the delivery and retention of infrastructure, and supports economic development through rural diversification as part of restoration, for example. The Draft MWP also promotes the development of minerals sites, which contribute to the supply of aggregates to meet housing needs over the plan period, and looks to provide a high level of protection for the environment.

4.26 The MWP has no significant negative impact on any of the issues considered. It is therefore thought to provide fair and equitable policy outcomes for the rural areas of the Borough.

Social inclusiveness

4.27 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), looks to provide job opportunities through the support for mineral and waste development. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.



4.28 The appraisal found that, generally, there is the potential for residual medium term significant negative effects because of the proposed site allocations, predominantly due to accessibility.

4.29 It is recommended that any proposal should seek to provide areas of open space appropriate for use by communities through restoration.

4.30 An Equality Impact Assessment has been carried out for the Draft MWP (see Appendix G of the SA report). It found that the MWP has, overall, either a positive or neutral impact on the protected characteristics considered. It can therefore be described as being compatible with the three main duties of the Equality Act 2010. For the two negative impacts identified for disability and race with regards to job opportunities in the open countryside (proposed MWP Policy WAS 5 'Waste management facilities in the open countryside'), it is acknowledged that waste development provides relatively few jobs, which reduces the negative impact identified. Additionally, LPS Policy SD 1 'Sustainable Development in Cheshire East' could help to mitigate the negative impact as it seeks to provide access to local jobs, reflecting the community's needs.

4.31 A Rural Proofing Assessment was also carried out for the Draft MWP (see Appendix I of the SA report). The Rural Proofing Assessment has highlighted that the Draft MWP seeks to achieve improvements that will benefit the rural areas of the Borough. It promotes access to and the retention of sustainable transport and the delivery and retention of infrastructure, and supports economic development through rural diversification as part of restoration, for example. The Draft MWP also promotes the development of minerals sites, which contribute to the supply of aggregates to meet housing needs over the plan period, and looks to provide a high level of protection for the environment.

4.32 The MWP has no significant negative impact on any of the issues considered. It is therefore thought to provide fair and equitable policy outcomes for the rural areas of the Borough.

Economic development

4.33 The proposed policies in the Draft MWP, along with existing policies in the LPS (and policies in the emerging SADPD), look to encourage economic development through the allocation and safeguarding of sites and providing an attractive environment. The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

4.34 The appraisal found that generally, there is the potential for residual medium term minor negative effects because of the proposed site allocations predominantly due to a potential loss of Grade 3a agricultural land, competing uses for water, and disruption to/potential contamination of water supply. Policies in the LPS, emerging SADPD and Draft MWP provide sufficient mitigation to make sure that there will not be any significant residual negative effects.

4.35 It is recommended that any proposal should seek to provide attractive surroundings.



4.36 A Rural Proofing Assessment was also carried out for the Draft MWP (see Appendix I of the SA report). The Rural Proofing Assessment has highlighted that the Draft MWP seeks to achieve improvements that will benefit the rural areas of the Borough. It promotes access to and the retention of sustainable transport and the delivery and retention of infrastructure, and supports economic development through rural diversification as part of restoration, for example. The Draft MWP also promotes the development of minerals sites, which contribute to the supply of aggregates to meet housing needs over the plan period, and looks to provide a high level of protection for the environment.

4.37 The MWP has no significant negative impact on any of the issues considered. It is therefore thought to provide fair and equitable policy outcomes for the rural areas of the Borough.



5 Cumulative effects

Introduction

5.1 In addition to the appraisal of individual policies undertaken in SA/SEA, the SEA Regulations requires the consideration of the overall effects of the plan, including the secondary, synergistic and cumulative effects of plan policies. It is important to note that the extant SEA guidance (ODPM, 2005) states that these terms, including secondary or indirect, cumulative and synergistic, are not mutually exclusive. Often the term cumulative effects is taken to include secondary and synergistic effects. This approach examines effects in a holistic way and, for example, considers how incremental effects that may have a small effect individually, may, in some circumstances, accrue to become significant.

5.2 Good practice SA/SEA requires that the analysis of cumulative effects consider interactions within/between plan policies (intra-plan effects) as well as the combined effects that may occur with other existing concurrent plans and projects (inter-plan effects). The following sections provide a summary of intra and inter-plan effects, highlighting those that have the potential to be significantly positive and/or negative for the framework of SA objectives set for the plan.

5.3 It should be noted that it is not always possible to accurately predict sustainability effects when considering plans at a strategic scale.

Significant positive cumulative effects of the MWP (intra-plan effects)

5.4 The SA found that some of the Policies and site allocations in the Draft MWP could have significant sustainability benefits for Cheshire East and the wider area. Table 5.1 summarises the significant positive effects identified.

Table 5.1 Significant positive effects of the Draft MWP

Key relevant SA topic	Positive effects identified
Population and human health, transport, social inclusiveness	<ul style="list-style-type: none"> The plan will have significant long-term positive effects through allowing minerals resources to contribute to the supply of aggregates to meet the needs of communities over the plan period
Economic development	<ul style="list-style-type: none"> A significant positive effect on the economy through support for economic growth over the plan period and supply of aggregates to the local, and potentially wider, construction industry

Significant negative or uncertain cumulative effects of the MWP (intra-plan effects)

5.5 Alongside the many positive effects of the plan, potential negative sustainability effects were also identified, although their effect is uncertain at this stage of the assessment, and it is considered likely that these effects can be mitigated at a more detailed planning stage. These are summarised in Table 5.2 below.



Table 5.2 Potentially significant negative effects of the Draft MWP

Key relevant SA topic	Negative effects identified
Population and human health, water and soil, air, biodiversity, flora and fauna, cultural heritage and landscape, and transport	<p>The cumulative effects of increased development (albeit temporary) include:</p> <ul style="list-style-type: none"> ● increased air pollution (local and regional) ● direct land-take, loss of good quality greenfield land and soil ● increased noise and light pollution ● loss of tranquillity ● implications for human health (for example from increased pollution, during site preparation, operation and restoration) ● effects on landscape, heritage and water quality

Interactions with other relevant plans and projects (inter-plan effects)

5.6 Appendix A of the SA Scoping Report (June 2017) identifies a list of related plans, policies and programmes at a national, regional and local level. In considering interactions with other relevant plans and programmes, the Council has identified the key documents that affect planning and development in the Borough and its neighbouring authorities, using Appendix A of the SA Scoping Report as a starting point and focussing on effects at a regional, sub-regional and local level. At a national level, the MWP has sought to take account and be consistent with the objectives of national guidance, targets and frameworks, where applicable.

5.7 The aim of the analysis of inter-plan effects is to identify how other plans and key projects may affect the sustainability of the Borough. Table 5.3 summarises key inter-plan cumulative effects.

Table 5.3 Inter-plan cumulative effects

Plans, programmes or projects	Significant combined effects of Cheshire East's MWP with other plans, projects and policies
Neighbouring Local Plans (Cheshire West and Chester, Warrington, Manchester, Trafford, Stockport, High Peak, Peak District, Staffordshire Moorlands, Stoke-on-Trent, Newcastle-under-Lyme, Shropshire) including Places for everyone submission plan	<p>Negative</p> <ul style="list-style-type: none"> ● Increased pressures on open space and biodiversity assets from disturbance and direct development. ● Potential for a negative cumulative effect on air quality and water through increased atmospheric emissions, water abstraction and water pollution (surface water runoff and consented discharges). These effects, along with disturbance have the potential for cumulative negative effects on biodiversity ● Increase in coverage of impermeable surfaces, with potential contributions to flood risk in the medium term.
Cheshire East Local Transport Plan	<p>Positive</p> <ul style="list-style-type: none"> ● Incremental improvements to sustainable transport networks, including walking.
Neighbourhood Development Plans	<p>Positive</p>



Plans, programmes or projects	Significant combined effects of Cheshire East's MWP with other plans, projects and policies
	<ul style="list-style-type: none"> Neighbourhood Development Plans (NDPs) must be in general conformity with the MWP. There is the potential therefore for NDPs to contribute to the significant positive and negative cumulative effects identified for the Draft MWP in Tables 5.1 and 5.2. There is also the potential for NDPs to enhance positive effects as well as reduce the negative effects as they can reflect the local environmental conditions and sustainability issues for that area.
Cheshire East Rights of Way Improvement Plan 2011 - 2026	<p>Positive</p>
	<ul style="list-style-type: none"> Development proposals contribute positively to the Rights of Way Improvement Plan and Implementation Plan.
	<p>Negative</p>
	<ul style="list-style-type: none"> Increased pressure on existing assets from disturbance and direct development.

Conclusion

5.8 The individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively) identify the need for minerals and waste in the Borough and the Draft MWP allocates sites to meet that need, where necessary. The SA for the Draft MWP predicts the likely effects of this growth to be delivered around the Borough.

5.9 The SA for the Draft MWP has found that there is the potential for significant residual negative effects as a result of several of the proposed allocations to meet the need set out in the individual minerals and waste site selection reports ([DMW 03] and [DMW 04] respectively). However, minerals can only be extracted where they are found, which reduces the scope to completely avoid sensitive areas when allocating sites for minerals development.

5.10 For many potential cumulative effects, the nature and significance of the cumulative effect is uncertain at this stage. The policy approaches proposed by the Draft MWP will help reduce the significance of any negative or in-combination effects. Monitoring of the MWP and SA will make sure that unforeseen adverse environmental effects are highlighted, and remedial action can be taken where needed.



6 Next steps

6.1 The Council may carry out further rounds of consultation prior to preparing a Publication Version of the MWP for publication, which will be accompanied by an SA Report. This will be the version of the MWP that the Council will submit to the Secretary of State ready for a public examination by an independent Planning Inspector. Once published, and prior to submitting to the Secretary of State, there will be a further six-week period to submit formal representations on the soundness of the document. At the end of the representation period, the Council will collate any representations made during the appropriate period and will submit them along with the MWP and supporting documents to the Secretary of State. The MWP will then be considered at public examination by an independent Planning Inspector.

6.2 The Council may ask the Inspector to recommend additional changes that may be necessary to make the MWP sound and will need to publish any main modifications for comment before the Inspector completes their report.

6.3 If the Inspector concludes that the MWP complies with the Planning and Compulsory Purchase Act and the associated Regulations and is sound in terms of section 20(5)(b) of the Act and meets the tests of soundness in the NPPF, with or without modifications, then the Council will be able to adopt the MWP. At the time of adoption an SA Statement will be published that sets out:

- a. how environmental (and sustainability) considerations have been integrated into the Local Plan;
- b. how the SA Report has been taken into account during preparation of the plan;
- c. the reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with;
- d. how the opinions expressed by the public and consultation bodies during consultation on the plan and SA Report have been taken into account; and
- e. the measures that are to be taken to monitor the significant effects identified for the Local Plan.

Monitoring

6.4 At the current time there is only a need to present a description of the measures envisaged; the Council has prepared a Monitoring Framework, set out in Table 6.2 of the Draft MWP. Additionally, relevant LPS and SADPD indicators are presented in Table 6.1 of the Draft MWP.