

Natural Resources and Waste

Leeds Local Development Framework



Development Plan Document

Sustainability Appraisal - Addendum 3:SA of Policies Minerals 13
and 14

November 2014

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(Bengali):-

যদি আপনি ইংরেজীতে কথা বলতে না পারেন এবং এই দলিলটি বুঝতে পারার জন্য সাহায্যের দরকার হয়, তাহলে দয়া করে 0113 247 8092 এই নম্বরে ফোন করে আপনার ভাষাটির নাম বলুন। আমরা তখন আপনাকে লাইনে থাকতে বলে কোন দোভাষীর (ইন্টারপ্রিটার) সাথে যোগাযোগ করব।

(Chinese):-

凡不懂英語又須協助解釋這份資料者，請致電 0113 247 8092 並說明本身所需語言的名稱。當我們聯絡傳譯員時，請勿掛斷電話。

(Hindi):-

यदि आप इंग्लिश नहीं बोलते हैं और इस दस्तावेज़ को समझने में आपको मदद की ज़रूरत है, तो कृपया 0113 247 8092 पर फ़ोन करें और अपनी भाषा का नाम बताएँ। तब हम आपको होल्ड पर रखेंगे (आपको फ़ोन पर कुछ देर के लिए इंतज़ार करना होगा) और उस दौरान हम किसी इंटरप्रिटर (दुभाषिए) से संपर्क करेंगे।

(Punjabi):-

ਅਗਰ ਤੁਸੀਂ ਅੰਗਰੇਜ਼ੀ ਨਹੀਂ ਬੋਲਦੇ ਅਤੇ ਇਹ ਲੇਖ ਪੱਤਰ ਸਮਝਣ ਲਈ ਤੁਹਾਨੂੰ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰ ਕੇ 0113 247 8092 ਟੈਲੀਫ਼ੋਨ ਕਰੋ ਅਤੇ ਅਪਣੀ ਭਾਸ਼ਾ ਦਾ ਨਾਮ ਦੱਸੋ। ਅਸੀਂ ਤੁਹਾਨੂੰ ਟੈਲੀਫ਼ੋਨ 'ਤੇ ਹੀ ਰਹਿਣ ਲਈ ਕਹਾਂ ਗੇ, ਜਦ ਤਕ ਅਸੀਂ ਦੁਭਾਸ਼ੀਏ (Interpreter) ਨਾਲ ਸੰਪਰਕ ਬਣਾਵਾਂ ਗੇ।

(Urdu):-

اگر آپ انگریزی نہیں بولتے ہیں اور آپ کو یہ دستاویز سمجھنے کیلئے مدد کی ضرورت ہے تو براہ مہربانی اس نمبر 0113 247 8092 پر فون کریں اور ہمیں اپنی زبان کا نام بتائیں۔ اس کے بعد ہم آپ کو لائن پر ہی انتظار کرنے کیلئے کہیں گے اور خود ترجمان (انٹریپرٹیر) سے رابطہ کریں گے۔

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1. INTRODUCTION

BACKGROUND

The Natural Resources and Waste Local Plan (NRWLP) was adopted in January 2013. A High Court challenge was then received against Policies Minerals 13 and 14 which was successful. As a result of this the two policies have been revised and updated and will need to be re-examined and be found sound before they can be adopted.

Sustainability appraisal was carried out throughout the preparation of the Natural Resources and Waste Local Plan in line with the requirements of the SEA Directive. The results and recommendations were published in a Sustainability Appraisal Report in November 2010. At the same time, Leeds City Council was preparing the Aire Valley Area Action Plan which was also subject to sustainability appraisal. As some of the sites in the NRWLP are in the Aire Valley area, the alternative options for those sites were considered in the Aire Valley Area Action Plan Preferred Options Sustainability Appraisal Report, October 2007. That Report should be read alongside the NRWLP Sustainability Appraisal Report for a fuller picture of how the different options were appraised and recommendations were made about future land use.

An Examination in Public into the NRWLP took place in November 2011 and as a result of this the Council proposed and consulted on Post –Submission Changes, including to policies Minerals 13 and 14 (which were labelled as Policies Minerals 14 and 15 at that time). These changes were also the subject of sustainability appraisal, the results of which were presented in Addendum 1: SA of Post Submission Changes, 2nd April 2012. Following the introduction of the National Planning Policy Framework further sustainability appraisal work was carried out and the results of this are in Addendum 2: SA Report, 30th April 2012. This SA therefore forms Addendum 3 to the SA Report.

PURPOSE OF THIS ADDENDUM

The Government's Planning Advisory Service has produced guidance on SA, which states that a supplementary report can be produced which documents the appraisal of 'supplementary change' to a DPD (PAS, 2009).

This document forms a further addendum to the November 2010 SA Report and Addendums 1 and 2, April 2012. It identifies whether the outcomes of those reports should be varied from those originally reported, as a result of the revisions to Policies Minerals 13 and 14. Should they be varied, this addendum would specify where and how, including any supplementary recommendations (e.g. mitigation and monitoring).

As such, this addendum is a full SA of the revised policies but should be read in conjunction with the original SA Report and Addendum 1 and 2.

ADDENDUM STRUCTURE

This addendum presents the following information:

- Section 1: this section (general background)
- Section 2: method used in assessing the revisions to the policies
- Section 3: a review, or 'screening' exercise, of the differences between the former version of the policies and proposed version of the policies for their potential to alter the SA (i.e. their 'likely significant effects')
- Section 4: the detailed assessment of the changes 'screened in' to requiring further assessment, including conclusions and recommendations.

2. METHOD OF ASSESSMENT

In conducting SA of the remitted policies, the following tasks have been done.

- I. An initial SA 'screening' of each change: each proposed change has been assessed to check whether or not it changes what the original policy or other statements intended (and thus if it could change the SA results), and also whether or not it changes any of the SA's original assumptions.
- II. Where necessary, further SA assessment work of changes: where the revised policy changes were 'screened in' to requiring further attention by the SA, the changes and reasonable alternatives have been assessed in order to identify potential effects and inform the proposed changes and their future implementation.
- III. Check the SA monitoring framework: as a result of the previous step, the SA monitoring framework was checked in order to ensure it still addressed the potential significant implications of the revisions to the policies and uncertainties of the SA.

LIMITATIONS AND UNCERTAINTIES SPECIFIC TO THE CHANGES

The changes introduce some support for marine-won aggregate in the long term but the sustainability and effects of such sources at the time they may enter the Leeds market is entirely uncertain. Assumptions are discussed in Section 4.

3. SEA 'SCREENING' OF THE PROPOSED CHANGES

The initial review, or 'screening', of the changes to the policies is documented in Table 1 below. This exercise 'screens' the changes to filter out those which do not change the way in which the NRWLP would be implemented on the ground, and therefore are certain not to change the SA Report's outcomes as previously documented. Those which are 'screened in' are those which have the potential to change the SA outcome (answer being 'yes' in the second column), and which therefore require further SA assessment in Section 4.

Table 1

Change	Potential to change SA outcome?	Reason
Sites are listed in Policy Minerals 13	No	This change makes it easier to identify which sites are affected by the policy and has no effect on SA outcomes.
Site 21 Bridgewater Road South is no longer allocated as a wharf.	Yes	The principle of allocating sites for non-road based freight use has been subject to sustainability appraisal in the SA of the NRWLP Publication Draft, however the change could affect the SA outcomes and therefore should be re-assessed.
An intermodal freight area has been identified at Stourton	Yes	This change needs to be assessed against the alternative option of not including it as an intermodal freight area.
Reference to the 5 year review has been deleted from Para 3.36	No	The 5 year review is not necessary since the annual monitoring will trigger when a review is necessary and there is an alternative mechanism for release of sites through Minerals 14. The change will therefore not have any effect on SA outcomes.
The list of viability factors have been deleted from the text in Para 3.36.		These factors are duplicated in the policy wording and therefore have been deleted from the text. The factors are still included in the Policy wording and therefore SA outcomes are not different from those in the Addendum 1 SA.

Addendum 3: SA of Policies Minerals 13 and 14

Policy Minerals 14 has been amended to re-word the first criteria to clarify the meaning.	No	The change helps to clarify the policy meaning and does not impact on how the SA interprets the implementation of the policy. Therefore it makes no change to SA outcomes.
Criteria 3 of Policy Minerals 14 has been deleted.	No	The criteria were onerous to meet and unlikely to ever be applied in practice. As it is unlikely to ever come into effect its deletion has no effect on SA outcomes.
Policy Minerals 14 has been altered so that applicants only have to comply with one of the criteria, not all of them.	Yes	The change makes it easier to meet one of the criteria for release of the site to alternative uses, therefore it weakens the ability to deliver the objective of promoting sustainable movement of freight. It therefore could have an effect on SA outcomes.

CONSIDERATION OF SECONDARY AND CUMULATIVE ISSUES/EFFECTS.

The screening of the changes shows that three of the changes could have an effect on SA outcomes and therefore need to be assessed against the SA framework. It has also been considered as to whether these three changes in total could compound the ability to meet the objective of promoting sustainable movement of freight. The removal of the wharf allocation at Bridgewater Road reduces the theoretical opportunity for water-based freight movement and the alteration of Policy Minerals 14 (so that applicants only have to comply with one of the criteria to release a site for alternative uses) weakens the ability to protect wharves and rail sidings. However the identification of an intermodal freight area at Stourton provides additional support for non-road based freight movements and therefore the cumulative effect of the first two changes is mitigated to some extent by the third change.

4. DETAILED ASSESSMENT IF PROPOSED CHANGES ARE ‘SCREENED IN’ AND RECOMMENDATIONS.

As the screening exercise above has established, three of the changes could potentially change the SA outcomes and require further assessment. The SA outcomes, explanation and recommendations are presented below.

Table 2

Site 21 Bridgewater Road South is no longer allocated partly as a wharf.				
SA Objective	Short Term	Medium Term	Long Term	Appraisal Summary
1	0	0	0	Economic The effect is largely neutral because although the wharf allocation has been deleted, the rail siding allocation on this site remains. The potential for this site to be used for employment uses that can utilise non-road based freight has not been affected.
2	0	0	0	
3	0	0	0	
4	0	0	0	
5	0	0	0	
6	0	+	++	Social The effect is largely neutral. There will be a significant positive effect in the long term on SA objective 6 because the Trans Pennine Trail is proposed to be routed along the riverside providing a pleasant environment for cycling and walking.
7	0	0	0	
8	0	0	0	
9	0	0	0	
10	0	0	0	
11	0	0	0	
12	++	++	++	Environmental It is expected to have a positive effect under SA objective 12 as the removal of the wharf allocation means that a green corridor can be retained along the waterfront and this is better for biodiversity. It is also minor positive under SA objective 19 because the riverside setting will not be lost to a wharf. There is a negative effect under SA objectives 13, 15 and 18 because of the loss of a potential wharf and therefore a reduction in the ability for modal shift from road to water. This is only a minor negative since the wharf does not exist at present and would have required significant investment in infrastructure for it to be constructed.
13	-	-	-	
14	0	0	0	
15	-	-	-	
16	0	0	0	
17	0	0	0	
18	-	-	-	
19	+	+	+	
20	0	0	0	
21	0	0	0	
22	0	0	0	
Recommendations				The change to the policy slightly weakens the opportunity for modal shift from road to water. However the site remains allocated for employment uses that can utilise freight because of the railway siding adjacent to the north. The change is positive overall because it is still an employment freight opportunity but there are recreation and biodiversity benefits along the riverside.

Intermodal Freight Area				No Intermodal Freight Area				
SA Obj.	Short Term	Med Term	Long Term	Appraisal Summary	Short Term	Med Term	Long Term	Appraisal Summary
1	++	++	++	<p>Economic</p> <p>A positive effect is expected overall. Promoting and supporting an intermodal freight area at Stourton will create jobs and opportunities for business that can make use of the excellent freight opportunities. Non-road based freight brings cost-savings to businesses who are able to make the modal shift from road freight. It focuses activity and encourages investment in the area and is therefore likely to be even more positive in the long term.</p> <p>Social</p> <p>The effect is positive since it is likely to help reduce road based freight and therefore improve air quality – which is positive on health.</p> <p>Environmental</p> <p>Effects are mostly positive as the increased modal shift from road to water/ rail will reduce pollution and greenhouse gases and therefore help mitigate climate change. It makes efficient use of industrial land (SA 11). It makes the best use of the rail and canal systems (positive under SA 15 and 22).</p>	0	0	0	<p>Economic</p> <p>Neutral effect as there would be no change.</p> <p>Social</p> <p>Relying on road-based freight means that we are not doing anything to tackle current air quality problems caused by HGVs and this could have negative effects on health, especially in the long term.</p> <p>Environmental</p> <p>Does not help modal shift from road to rail/ water, therefore maintains reliance on road freight and negative effects associated with that ie. greenhouse gases, congestion, pollution and mitigating climate change.</p> <p>Does not make best use of the rail and canal systems in Leeds.</p>
2	++	++	++		0	0	0	
3	0	0	0		0	0	0	
4	0	+	++		0	-	--	
5	0	0	0		0	0	0	
6	0	0	0		0	0	0	
7	0	0	0		0	0	0	
8	0	0	0		0	0	0	
9	0	0	0		0	0	0	
10	0	0	0		0	0	0	
11	+	+	+		0	0	0	
12	0	0	0		0	0	0	
13	+	+	++		-	-	--	
14	0	0	0	0	0	0		
15	+	+	+	-	-	-		
16	0	0	0	0	0	0		
17	0	0	0	0	0	0		
18	+	+	+	-	-	-		
19	0	0	0	0	0	0		
20	0	0	0	0	0	0		
21	0	0	0	0	0	0		
22	+	+	+	-	-	-		
Reco mme ndati ons				The introduction of an Intermodal Freight Area in Stourton will have major positive effects on economic objectives. There are no negative effects but in the implementation of the Policy there may be opportunities to increase social and environmental effects, eg. through car share initiatives, work social activities or work-related health care schemes.				There are no positives for this option. It scores negative on a number of objectives because of the missed opportunity.

Addendum 3: SA of Policies Minerals 13 and 14

Policy Minerals 14 has been altered so that applicants only have to comply with one of the criteria, not all of them.				
SA Objective	Short Term	Medium Term	Long Term	Appraisal Summary
1	0	+	++	<p>Economic The effect is positive since the change means that sites will not be sterilised in the long term if there is no prospect of a freight use coming forward.</p> <p>Social The effect is largely neutral</p> <p>Environmental The change makes it easier to release a site from the policy protection and this could result in the loss of wharves or rail sidings to other uses. Once they are gone the opportunity to load/unload freight has gone and therefore this has negative effects under SA objectives 11,13, 15, 18 and 22. This is mainly because of the increased pollution, congestion and greenhouse gas emissions which result from a reliance on road-based freight.</p>
2	0	+	++	
3	0	0	0	
4	0	0	0	
5	0	0	0	
6	0	0	0	
7	0	0	0	
8	0	0	0	
9	0	0	0	
10	0	0	0	
11	-	-	-	
12	0	0	0	
13	-	-	-	
14	0	0	0	
15	- -	- -	- -	
16	0	0	0	
17	0	0	0	
18	- -	- -	- -	
19	0	0	0	
20	0	0	0	
21	0	0	0	
22	-	-	-	
Recommendations				<p>The change provides a mechanism for releasing rail sidings and wharves for alternative uses if they are not needed and this ensures that land is not sterilized in the long term. The change is therefore necessary even though it has some negative effects.</p>

SA MONITORING

The existing monitoring framework has been considered in conjunction with the changes in order to ascertain whether any monitoring changes would be required. The intent of the policies remains the same as when the monitoring framework was developed. However, an alteration to the monitoring framework is required to reflect the deletion of the 5 year review and instead this will need to be amended to refer to the Authority Monitoring Report. The annual monitoring will trigger when a review is necessary and this will not have any effect on SA outcomes. Additionally Minerals 14 provides a mechanism for release of sites.

REVIEW OF PROPOSED CHANGES FOR HRA

On review of the above changes, there are no further policy changes which present risks to the nature conservation objectives of Natura 2000 sites.

There are no material changes to these policies in terms of the mitigation they provide.

Therefore, the existing HRA Screening decision would be expected to apply, and no further HRA / Appropriate Assessment is required.

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