

Comments from SA Scoping Report consultation, May 2009	
<p>The draft Oxfordshire Minerals and Waste Development Framework Sustainability Appraisal/Strategic Environmental Assessment Scoping Report (April 2009) was sent to the statutory consultees (Environment Agency, Natural England and English Heritage), to district councils in Oxfordshire, to neighbouring authorities and to a number of other interested stakeholders in April 2009. The consultation period lasted for 5 weeks, finishing on 22nd May 2009. Ten responses to the consultation were received, including from Natural England, the Environment Agency and English Heritage. These responses are summarised below.</p>	
Consultee Responses	Comments
Natural England	
<p>Page 11, Stage 2: Production. Point B 5.0 with regard to 'mitigating adverse effects', it should be made clear that this will follow consideration of 'avoidance, cancellation and reduction measures'</p>	<p>This has been made clear in the report.</p>
<p>Page 41-42 Land Use and Resources. Need to refer to 'best and most versatile agricultural land in the report as grades 1, 2 and 3a. Also need to change the BMV map (Fig 3.14), which at present shows all grades of agricultural land.</p>	<p>The reference to BMV land now makes clear this refers to Grades 1, 2 and 3a. The map at Fig 3.14 continues to show all grades, but has now been labelled correctly.</p>
<p>A reference should be made to soil as a multi-functional resource whose function is not only agricultural production but also water and carbon storage, nutrient filtration, aquifer recharge, flood control and as a habitat in its own right for soil biodiversity.</p>	<p>This reference has been included in the text in para 3.2.16</p>
<p>Page 49, Table 3.13: The SA Framework. SA objective 1 should include reference in the Appraisal Criteria / Sub – objectives as to whether the MWDF will conserve and enhance internationally, nationally and regionally important sites of nature conservation importance. Possible indicators for designated sites would be number of permitted applications which result in restoration of favourable / favourable recovering condition or buffering of designated areas through appropriate habitat creation.</p>	<p>This reference has been incorporated into Objective 1.</p>
<p>SA objective 2 should make reference to 'conserve and enhance Oxfordshire's AONBs and their settings', rather than 'protection' to be consistent with section 85 of the Countryside and Rights of Way Act (CROW) 2000 'in exercising or performing any functions in relation to, or so as to affect, land in an AONB, all public bodies have a duty to have regard to the statutory purpose of AONBs, which is to conserve and enhance their natural beauty' and also South East plan policy C3.</p>	<p>Objective 2 has been amended accordingly</p>

<p>Page 60, Appendix 2. The scoping report correctly refers to EC Council Directive 92/43/EEC, which is transposed into UK legislation as the Habitats Regulations. This is a separate process from Sustainability Appraisal, but Natural England would recommend that the two processes are considered in parallel, making use of the information which will be common to both. Natural England would be pleased to assist the County Council as required in the HRA process.</p>	<p>Noted</p>
<p>Page 62, Appendix 2. The reference to the RSPB 'Nature After Minerals' initiative highlights the potential in particular to deliver wet reedbed, potentially extending to 100% of the UK BAP target. However, the potential to deliver across all BAP targets relevant to Oxfordshire should be recognised in the Scoping Report. In particular Oxfordshire is nationally and internationally important for wet lowland meadow; this should therefore be considered as a key target in appropriate locations to support established sites. Details of relevant BAP targets can be obtained from Oxfordshire Nature Conservation Forum. In the 'Implications for Oxfordshire MWDF', reference should also be made to the sustainable use of soil resources, including 'best and most versatile agricultural land' – please see comments for pages 41-42 above.</p>	<p>These targets have been incorporated in Objective 1.</p>
<p>Page 65, Appendix 2 In the section relating to Oxfordshire BAP, the Scoping Report refers to compensation and mitigation measures if development impacts on designated sites. However, Natural England considers that it should be stated that the MWDF will need to include policies and proposals to avoid adverse effects on the integrity of designated sites, rather than refer to 'compensation measures'.</p>	<p>These changes have been made to Appendix 2.</p>
<p>Also, as you are aware, Section 28G of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) places duties on local authorities to conserve and enhance SSSIs. Planning Policy Statement 9: Biodiversity and Geological Conservation further requires that:</p> <ul style="list-style-type: none"> • Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. • The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. 	<p>Noted</p> <p>Noted</p> <p>Noted</p>
<p>Page 67, Appendix 2. In the section on AONB management plans, reference should also be made to the North Wessex Downs AONB management plan.</p>	<p>This reference has been incorporated into Appendix 2.</p>

Appendix 3. Under 'land and resources', reference should be made to loss of grades 1, 2 and 3A agricultural land, being 'best and most versatile' grades, rather than just grades 1 and 2. Also, reference should be made to loss of all land and soil resources where a site after use is as a water body.	Appendix 3 has been amended accordingly.
Indicators should also be added for landscape impacts brought about by land use change, particularly where these may affect an area designated as AONB or its setting. Impacts on recreational uses e.g. changes in extent of footpaths / areas of recreational use should also be monitored.	Need to identify a suitable indicator to monitor AONB areas
English Heritage	
Table 3.1; fifth bullet point refers to protection and conservation of all aspects of the historic environment and protection of nationally and regionally important geological features. EH suggests that reference to geological features would be better placed with the natural environment (as per PPS 9 Biodiversity and Geological Conservation) EH welcomes reference to protection of the wider historic environment but notes the particular importance of international and nationally important historic features, as referred to in para 17 of PPS1.	These amendments have been made to table 3.1.
Suggests that the baseline indicators for heritage relates to <i>potential loss or destruction of listed buildings, scheduled monuments, registered parks and gardens and battlefields</i> , instead of <i>buildings at risk</i> .	These amendments have been made to the baseline indicators.
Section 3.2.3 provides a baseline with regard to the historic environment, although EH notes that this is somewhat brief. Suggests amending the reference to gardens and landscapes to 'designed' gardens and landscape. Also need to make reference to the registered battlefields and to locally important features that need to be taken into account. Need to clarify the section which says that Oxford contains more than twice the national average of grade 1* and II* listed buildings.	Section 3.2.3 has been amended accordingly. The reference to Oxford's listed buildings has been deleted as it cannot be verified.
Suggest that the Scoping Report refers to the many scheduled and non-scheduled archaeological sites along the Thames valley, which are currently being assessed by the Oxfordshire Aggregates Archaeological Resource assessment, a joint Oxfordshire County Council and English Heritage project.	This reference has been incorporated into para 3.8

Table 3.13 includes SA objective 2 to protect and enhance landscape character, local distinctiveness and historic and built heritage. The approved SE Plan includes reference to the value of landscape/townscape character assessment as a tool in plan preparation. It is unclear what evidence is being gathered with regard to impacts upon character and distinctiveness at a scale below Fig 3.8 and having regard to historic landscape character.	The OWLS study enables landscape to be assessed at the District level.
Appendix 1 should include the European Landscape Convention. English Heritage's Heritage count for 2008 is available on their website, which could update the 2007 data in the report.	The European Landscape Convention has been included in Appendix 1.
Environment Agency	
Suggests that the 'Thames Waterway Plan, 2006-2011' is added to the regional plans and policies in Appendix 1. The plan addresses issues such as environment, biodiversity, tourism and recreation and has a map showing potential issues and improvements along the length of the Thames.	The Thames Waterway Plan, 2006-2011 has been included in Appendix 1.
Also suggests that the draft River Basin Management Plan for the Thames River Basin District should be added to list of regional plans in Appendix 1.	The draft River Basin Management Plan has been included in Appendix 1.
Not clear how SA Objective 8 relates to water. Suggests that the SA Objective 3 'to maintain and improve ground and surface water' should include 'will the MWDF affect groundwater quality'. Possible indicators could include	These amendments have been incorporated into SA Objective 3.
Number of permitted applications using SUDS incorporating pollution prevention measures	
Number of permitted applications affecting Source Protection Zones 2 and 3	
Number of permitted applications which assess the risk of contamination of groundwater	
Thames Water	
Suggests that a reference to the need to upgrade sewage works to improve effluent treatment and to provide for the sustainable disposal of sewage sludge needs should be included in the document.	This has been included.
Highways Agency	

The Highway's Agency interest in Oxfordshire relates to the A34 from Chilton to the M40, Jn 9, and the M40 Jn 6 to Jn 11 (the Strategic Road Network: SRN) These sections of road were subject to an assessment to inform the South East Plan examination. The assessment found that these sections of road are ' <i>progressively unable to cope without flow and demand management measures</i> ' and that by 2026 they will be ' <i>unable to cope with demand</i> '.	Noted
The impacts on these roads of any new or expanded minerals and waste sites are minimised in line with the requirements of DfT Circular 02/2007 (Planning and the Strategic Road network)	Noted
The Highways Agency discourages the locating of sites immediately adjacent to the SRN because of slow moving HGVs and the generation of dust, odour, noise and lighting.	Noted
Stage 2: Collection of baseline information. Suggestion that the Minerals and Waste Core Strategy is supported by a transportation evidence base that assesses the impact of an increased Oxfordshire apportionment on the local and strategic road network to help inform the most sustainable locations for mineral extraction and possible mitigation measures that may be required should the evaluation demonstrate that residual trips will adversely impact on the SRN.	Noted
Stage 3: Identifying key sustainability issues. It is important that the SA/SEA identifies objectives that aim to minimise impact on the local and strategic road network.	This has been incorporated into Objective 7.
Stage 4: Developing the SA/SEA framework. Objective 5 addresses transportation issues through the requirement to reduce green house gases. The HA recommends that transport should be a stand alone objective and that the following points should be considered in generating objectives:	The bullet points listed have been incorporated into a new objective relating specifically to transport issues, objective 7.
➤ Travel plans with targets and sanctions	
➤ Use of rail/waterways where possible	
➤ HGV routing agreements	
➤ HGV generation at peak periods	
➤ Developer contributions for infrastructure improvements	
➤ Env factors including airborne particles, noise, odour and lighting	
West Oxfordshire District Council	

Notes that population figures in Table 3.2 should be updated. Population figures for the district are 100,797 in 2006, with projected population of 114, 773 in 2026. Also need to check the County figures for population in Fig 3.1.	Figures have been amended to reflect most up to date ONS-based data from Oxfordshire data observatory
Wiltshire Council – Minerals and Waste Policy Team	
Suggest re-phrase SA Objective 12 to include reference to collaborative working ‘Will the MWDF promote dialogue between local authorities to ensure valuable mineral resources are not sterilised by non-minerals development?’	Objectives have been re-numbered; this has been incorporated into objective 13.
Suggests that SA Objective 8 makes reference to maintaining access to the countryside and the visual impacts that minerals and development can have on local amenity.	This has been incorporated into Objective 9.
Suggests that the MWDF SA framework should include a reference to making a sustainable contribution to meeting Oxfordshire’s sub regional apportionment.	This has been incorporated into Objective 12.
The SA framework should include a mention of ‘minimising the area of land-take per tonne of mineral (aggregate) produced.’	Incorporated into Objective 13.
SA Objective 11 was accidentally omitted from the compatibility of SA Objectives table.	The SA Objectives table has been updated to reflect the new numbering and Objective 11 has been included.
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trusts	
Appendix 1 should include the Habitats Regulations (1994), which transposes the EU Habitats Directive into UK law. Also include the South East Biodiversity Strategy and the Oxfordshire BAP in Appendix 1.	Oxfordshire BAP already in appendix 1; the Habitats Regulations and SE Biodiversity Strategy have been added
Section 3.2.7 should make reference to the Conservation Target Areas and their aims. A reference to the NI 197 report on positive management of Local Wildlife Sites would also be relevant when it is available.	These references have been incorporated into section 3.2.7

Suggests that an indicator relating to impacts on designated sites or BAP Habitats should be included to reflect the objectives to protect and maintain Oxfordshire's biodiversity.	Incorporated into Objective 1.
Cotswolds Conservation Board	
Table 3.13: the SA Framework. Suggests replacing 'will the MWDF <i>protect</i> the Oxfordshire AONBs' with 'will the MWDF <i>conserve and enhance</i> the Oxfordshire AONBs' to better reflect guidance in PPS 7 and the SE Plan.	Amendment made to Table 3.13
Chilterns Conservation Board	
Page 24: Map incorrectly labels the North Wessex Downs and the Chilterns AONB	Map has now been amended to show all three Areas of Outstanding Natural Beauty
Page 59: the Chilterns AONB Management Plan is now adopted (October, 2008)	Appendix 1 has been amended to reflect this.