

Sustainability Appraisal of the South Derbyshire Local Plan Part 1

Adoption Statement

June 2016

South Derbyshire District Council Local Plan Part 1 Sustainability Appraisal Adoption Statement

Contents Page

1. Introduction
 - Background
 - Purpose of this SA Adoption Statement
2. How environmental and sustainability considerations have been integrated into the South Derbyshire Part 1 Local Plan
3. How the Sustainability Appraisal/Environmental report has been taken into account;
4. How the results of consultations have been taken into account
5. How the results of any consultations entered into under regulation 14(4) have been taken into account;
6. The reasons for choosing the plans as adopted, in the light of other reasonable alternatives
7. The measures that are to be taken to monitor the significant effects of implementation of the plans

1.0 Introduction

- 1.1 The Local Plan Part 1 is the long term strategic plan for development within South Derbyshire and includes the strategic vision, objectives and the key policies needed to achieve sustainable development in South Derbyshire from 2011 to 2028. It identifies the amount of development to meet identified housing and employment need and sets out broad locations for growth, including the allocation of strategic housing and employment sites. The Local Plan Part 1 does not allocate smaller housing sites or set detailed development management policies as these will be agreed through Local Plan Part 2. The Part 1 Local Plan was adopted on 13 June 2016. This Sustainability Appraisal Adoption Statement has been prepared under the Strategic Environmental Assessment (SEA) Regulations as part of the process.
- 1.2 The adopted Plan, Sustainability Appraisal (SA) report and its associated documents, along with further details of the adoption process, can be found on the South Derbyshire District Council website www.south-derbys.gov.uk, and are available from South Derbyshire Districts Council's offices in Swadlincote and are available to view during normal opening hours:
- 8.45am to 5pm Monday, Tuesday Thursday
 - 9.30am to 5pm Wednesday
 - 8.45am to 4.30pm Friday
- 1.3 SA is a requirement of the Planning and Compulsory Purchase Act 2004. It also incorporates the requirements of the EU Directive 2001/42/EC to undertake a Strategic Environmental Assessment (SEA). SA considers the environmental, economic and social effects of implementing the Plan, and the reasonable alternatives, with the purpose of promoting the objectives of sustainable development and ensuring their integration within the plan making process. The Planning Inspector, in her Report on the examination into the South Derbyshire Part 1 Local Plan, issued on the 10 May 2016, recognises that the SA has been carried out and is adequate.
- 1.4 Alongside the SA work, South Derbyshire District Council has undertaken a Habitats Regulations Screening Assessment in accordance with guidance and the regulations. This was carried out to assess the impacts of the Plan on the conservation objectives of European sites and to ascertain whether it would adversely affect the integrity of those sites. The HRA was carried out to the satisfaction of Natural England and concluded that the Plan is not likely to have a significant effect upon any European site, including the River Mease SAC, either alone or in combination with other plans or projects; and, therefore, an Appropriate Assessment is not required.
- 1.5 The 'SEA' Regulations (Environmental Assessment of Plans and Programmes Regulations 2004, Regulation 16(3) and (4)) require the Council to prepare an adoption statement as soon as reasonably practicable after the adoption of the Part 1 Local Plan which should contain the following:-
- how environmental considerations have been integrated into the plan or programme;
 - how the environmental report has been taken into account;
 - how opinions expressed in response to:
 - the invitation in regulation 13(2)(d); and
 - action taken by the responsible authority in accordance with regulation 13(4); have been taken into account
 - How the results of any consultations entered into under regulation 14(4) have been taken into account

- the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
- the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

1.6 The purpose of this statement is to present the information required to meet the 'SEA' regulations summarised above and show how the development of the Local Plan has maximised the contribution the plan makes to sustainable development and minimises any potential adverse impacts.

2.0 How environmental and sustainability considerations have been integrated into the South Derbyshire Local Plan Part 1

2.1 Throughout the plan-making process, sustainability appraisal has been carried out as an iterative and ongoing process to inform decision making for the emerging Plan. The SA has been undertaken 'in house' with the Council Planning team seeking to appraise the likely effects of the Plan. This has allowed a deep understanding of the likely environmental, social and economic effects of the Plan to be readily understood at all stages of Plan preparation and measures to avoid, reduce or offset negative impacts and measures to enhance positive effects being identified.

2.2 The first stage of the SA was to identify key environmental, social and economic issues within South Derbyshire. In order to establish these issues relevant plans and programmes were reviewed; baseline information regarding the character of the area and its likely evolution were collated and analysed and a set of 21 sustainability objectives¹ were produced within a Sustainability Appraisal Scoping Report in 2008. The Scoping Report was subsequently updated in 2012 to reflect changes in Government Policy and alteration/deletion of national indicators. Both the initial and updated Scoping Report were subject to public consultation and the Sustainability Appraisal framework has been refined as a result of the responses received back during consultation. This set of 21 Sustainability Objectives (known as the SA Framework), established the basis against which the emerging Local Plan Part 1 would be appraised in respect of its sustainability

2.3 The Issues and Options to be addressed through the Local Plan Part 1 were consulted upon in January 2010 (Issues and Alternative Options). This document set out a vision, as well as strategic objectives which would inform growth within South Derbyshire over the Plan period. It also considered options concerning the amount and distribution of housing and employment land growth as well transport options to support growth. Options regarding a range of thematic issues, such as design excellence, flood risk, water quality, affordable housing and town centres and retailing were also presented in this document. Following the revocation of the Regional Spatial Strategy revised options concerning the amount and distribution of housing growth in South Derbyshire were identified and consulted upon within a Housing Market Area (HMA) wide document (Options for Housing Growth) in Summer 2011 and looked specifically at the level of

¹ See Section 4 of the Sustainability Appraisal Main Report for the Sustainability Appraisal Framework

growth that should be planned for in the absence of Regional Plan requirements. A further addendum consultation regarding options for apportioning Derby City's unmet housing need across Amber Valley and South Derbyshire was consulted upon in August 2015.

- 2.4 The Sustainability Appraisal of broad options commenced in 2010 and appraisals have been updated on an iterative basis as new information has been collected (for example updated information on housing need), or updated options identified (for example through the Options for Housing Growth Consultation). The Sustainability Appraisal helped inform selection of the Council's Preferred Options, which were first set out in the Preferred Growth Strategy (October 2012) and Draft Local Plan (September 2013).
- 2.5 The Pre-submission Local Plan and updated Sustainability Appraisal were published for consultation in March 2014. The Sustainability Appraisal has then subsequently been updated to reflect proposed modifications to the Pre-Submission version of the Plan. Key changes to the Plan following submission include rebasing the start date of the Plan to 2011, adding a further policy in respect of rural diversification, removing part of a proposed housing site in Etwall and adding a further housing site at Land West of Mickleover. A number of changes to policy wording have also been made. In addition appraisal of a range of options and the Council's preferred option in respect of apportioning Derby City's unmet need between South Derbyshire and Amber Valley was also presented in a Sustainability Appraisal Addendum in August 2015. All previous iterations of the Sustainability Appraisal and the Sustainability Appraisal Addendum are available to view on the Council's website.
- 2.6 The sustainability appraisal reports prepared by the Authority outline the likely environmental, social and economic effects of reasonable alternatives, and include details of mitigation measures to reduce predicted adverse effects and measures to increase beneficial effects. Recommendations are made as to which reasonable alternatives are preferred in sustainability terms and how proposed policies could be improved.

3.0 How the environmental report has been taken into account

- 3.1 The Environmental Report has been updated with each iteration of the plan published since September 2013. The emerging plan objectives, broad options and plan policies have all been subject to appraisal against the SA framework and the likely significant effects of the Plan documented. In some cases the appraisal highlighted potential changes which could be made to the 'Plan to improve its overall sustainability' including the identification of alternative broad options (for example in respect of transport options), changes to detailed policy wording, or even in respect of identify thematic policies that should be included in the Plan to address identified issues and deliver mitigation.
- 3.2 In undertaking appraisal, at the same time as plan preparation the Authority has been able to integrate the findings of appraisal into the Plan prior to publication of each consultation stage. Views on the content and findings of the SA were invited through each consultation and where appropriate further changes to the SA, or the Plan have been made to reflect comments received back. Further information on the views expressed during consultation is set out in the

following section of this report. Section 10 of the Sustainability Appraisal Environmental Report sets out in detail how the sustainability appraisal process has influenced plan making and informed the identification of mitigation measures.

4:0 How the results of any consultations have been taken into account

- 4.1 Throughout the Plan making process the Council has sought to provide consultation bodies and the public consultees with sufficient opportunity to express their opinion on the Sustainability Appraisal and Plan documents produced by the Authority specifying the address to which, and the period within which, opinions on the scope and later the findings of the Sustainability appraisal could be made.
- 4.2 Key consultations included:
- Scoping Consultation (October 2008)
 - Scoping Update (July 2012)
 - Draft Local Plan (September 2013)
 - Pre-submission Local Plan (March 2014)
 - Sustainability Appraisal Addendum (August 2015)
 - Sustainability Appraisal Update (October 2015)
- 4.3 The results of the scoping consultations and the changes made to the scope of the appraisal are set out in Appendix 1 of the Technical Appendices to the Sustainability Appraisal. Changes made in respect of the scoping consultations included corrections to information in the evidence base, the addition of strategies (plans policies and programmes) considered by the Authority to inform the appraisal process and changes to the sustainability appraisal framework (including in respect of the SA objectives and detailed decision making criteria).
- 4.4 Natural England, The Environment Agency and English Heritage (now Historic England) were consulted on the scope of the sustainability appraisal for both the 2008 and 2012 scoping reports. In addition, other stakeholders were also consulted during the 2008 and 2012 scoping exercise these included, neighboring authorities, Parish Councils and ward members. A copy of the Scoping Report was posted on the Councils website and made available to view at the Council's offices for any member of the public interested in the process or wishing to make comments. The SA addendum work was also subject to a five week scoping consultation with the consultation bodies and the responses received from these bodies are documented in detail within the [SA addendum Environmental Report](#) and can be seen in section 1.5 of that report.
- 4.5 The emerging Plan and interim versions of the Environmental Report were subject to consultation with a wide range of stakeholders and consultees. In addition to the consultation bodies (Natural England, the Environment Agency and Historic England) being consulted, a wide ranging consultation with other local governance organisations, prescribed bodies and other stakeholders including developers and individuals included on the Council's Consultation database were consulted on the Plan and supporting documents including the Environmental Report. Copies of the Local Plan and Environmental report were available to view on the District

Council's website, at the Council's Offices in Swadlincote and local libraries in South Derbyshire, Burton and some in Derby. A non-technical summary accompanied every iteration of the Council's Environmental Report.

4.6 In respect of the comments received back in respect of plan preparation and the Environmental Report, these are available to view on the Council's website at: www.ldf.consultations.south-derbys.gov.uk.

4.7 The responses received to consultations on the environmental report helped identify additional appraisal work which would be required. For example in respect of the need to identify higher levels of growth (a higher growth option), the need to look at a range of measures to tackle likely transport effects of growth, additional spatial options for growth (for example the potential to locate growth as urban extensions to Burton on Trent) and the need to consider options for accommodating Derby City's unmet need (which was undertaken through the SA addendum). In addition responses were received from stakeholders and other consultees in respect of specific site appraisals and in respect of policy appraisals and where appropriate changes to site appraisals and policy wording have been made to reflect the consultations on the Plan and Environmental Report. A summary of consultation responses in respect of the broad options is set out in the SA main report (Section 5). Further information on comments relating to the appraisals findings is set out in Section 2 of the Main report.

5.0 How the results of any consultations entered into under regulation 14(4) have been taken into account

5.1 Regulation 14(4) relates to where the Secretary of State receives a request from another EU Member State indicating that it wishes to enter into consultations on trans-boundary impacts before the adoption, or submission of a plan or programme. No such request was received and therefore no additional consultation of this nature was undertaken.

6.0 The reasons for choosing the plans as adopted, in the light of other reasonable alternatives

6.1 The Council has, through the sustainability appraisal process, considered alternative ways in which it could deliver growth to 2028. It considered a range of reasonable housing growth options as well as spatial distribution options, for locating housing and employment. It also considered a range of thematic options on issues such as transport, design excellence, affordable housing, flood risk, Water Supply and Drainage, Green Belt, Housing Densities and Mix. The broad options identified and the justification for selecting preferred options are set out in detail in Section 5 of the Environmental Report and Appendix 4 of the Technical Appendices.

6.2 In addition the housing and employment sites capable of accommodating strategic levels of growth have been identified and subject to appraisal. Site appraisals are set out at Appendix 5 and 6 of the Technical appendices and further information to explain why sites have been preferred, or not preferred is set out in Section 8 of the Main report. The approach to growth proposed in South Derbyshire has been tested through the examination process and the Inspector has concluded that the South Derbyshire Local Plan Part 1 provides an appropriate basis for the planning of the District

6.3 The Preferred approach to growth will have effects on the local environment, as well as existing communities and the local economy. Given the scale of growth proposed through the Plan this is inevitable. However the Councils approach to distributing growth (based on urban concentration) is consistent with the principles of sustainable development and the NPPF (as noted in the Inspectors Report) and would be likely to perform better than alternative options assessed against the SA framework. Section 6 of the Environmental Report sets out the likely effects of growth and details potential mitigation to lessen negative effects and improve the 'sustainability' of the Plan. This section has helped inform the thematic policies included in the Plan which are necessary to mitigate the effects of growth proposed. These policies cover a range of issues such as Sustainable Development, the Built and Natural Environment and Infrastructure. Their inclusion in the Plan will ensure that the likely effects of the large scale growth proposed in South Derbyshire will be minimised whilst ensuring that levels of growth sufficient to meet the districts own needs and part of Derby City's unmet housing need can be accommodated.

7.0 The measures that are to be taken to monitor the significant effects of implementation of the plans

7.1 The SEA Directive requires the significant environmental effects of plans and programmes to be monitored, in order to identify at an early stage unforeseen adverse effects and to be able to take appropriate action where necessary.

7.2 The monitoring undertaken on the Part 1 Local Plan will help to:

- monitor the significant effects of the plan
- track whether the plan has had any unforeseen effects
- ensure that action can be taken to reduce / offset the significant effects of the plan
- provide baseline data for future sustainability appraisals, and
- provide evidence of how the environment / sustainability criteria of the area are evolving.

7.3 The requirements of the SEA Directive focus on monitoring the effects of the plan. This equates to both the plan's significant effects and also unforeseen effects. It may be difficult to implement monitoring mechanisms for unexpected effects, or to attribute such effects to the implementation of the Plan when they occur as often other plans, projects or programmes could all affect the quality of environment, economic performance or the social aspects of the plan.

7.4 It is good practice for the monitoring of significant sustainability effects to be integrated with other monitoring of the Local Development Framework. For this reason, the Council will report significant sustainability effects as part of its existing monitoring regime (i.e. through the existing monitoring reports produced by the Council). Significant sustainability effects indicators are included in the Sustainability Appraisal Framework which is included in Section 4 of the Environmental Report. These have been drawn from the baseline information and key sustainability issues identified within the Sustainability Appraisal Scoping Report and are identified to monitor potential significant effects.