



SOUTH WORCESTERSHIRE DEVELOPMENT PLAN

Sustainability Appraisal (SA) (Integrated Appraisal)

Adoption Statement

February 2016

enfusion



**MALVERN HILLS DISTRICT COUNCIL, WORCESTER CITY
COUNCIL, WYCHAVON DISTRICT COUNCIL
SOUTH WORCESTERSHIRE DEVELOPMENT PLAN
2006-2030 (SWDP)**

**Sustainability Appraisal (Integrated Appraisal)
Adoption Statement**

for and on behalf of Enfusion Ltd

<i>date:</i>	<i>February 2016</i>	
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1.0 Context and the South Worcestershire Development Plan (SWDP)

- 1.1 The South Worcestershire Development Plan (SWDP 2006-2030) was jointly submitted by Malvern Hills District, Worcester City and Wychavon District Councils to the Secretary of State for independent examination on 28 May 2013 and in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Plan aims to improve, protect and manage sustainable development in the area. The submission was accompanied by evidence including the SA (Integrated Appraisal) Report (November 2012) that was prepared in accordance with the following requirements:
- Regulation 16 of the Environmental Assessment of Plans & Programmes Regulations 2004 implementing the European SEA Directive¹
 - Paragraph 165 of the National Planning Policy Framework (NPPF, 2012)
- 1.2 The SA was carried out in an iterative and ongoing way with the plan making process since 2007 and integrated the requirements of the Strategic Environmental Assessment (SEA) Regulations, Equality & Diversity Impact Assessment (EqIA), and the findings of the Habitats Regulation Assessment (HRA Report November 2012). The role of the SA is to promote sustainable development and avoid adverse effects, whilst seeking opportunities for enhancement, on the environment and communities in the area. An SA Addendum Report (May 2013) was prepared in consideration of consultation representations received during pre-submission consultation (January – March 2013) and the length of time over which the Plan and SA documents had been prepared (including changes to the planning system).
- 1.3 From the Stage 1 Examination Hearings (October 2013 and March 2014), the Inspector recommended a substantive increase to the housing requirement for the SWDP (an increase of 5,170 dwellings above the housing figure of 23,200 submitted) and requiring additional SA. A further SA Addendum Report (September 2014) accompanied the Proposed Modifications to the SWDP as a result of the uplift in housing numbers for public consultation (October-December 2014).
- 1.4 At the Stage 2 Hearings (2015), the Inspector required further SA work to address consultee concerns and to matters arising during the Examination. Some respondents had suggested that as the housing numbers had been increased, the strategic options for distributing the higher housing numbers should be revisited. Strategic options were subject to a refreshed Sustainability Appraisal (Further SA Addendum Report, September 2015).
- 1.5 The Examination Inspector has found (4 February 2016) the SWDP, as amended by the Schedule of Main Modifications, to be both sound and legally compliant. This modified SWDP if adopted by each of the three Councils on 23 and 24 February will be formally adopted on 25 February 2016 in accordance with Regulation 26 of the Town and Country Planning

¹ <http://ec.europa.eu/environment/eia/sea-legalcontext.htm>

(Local Planning) (England) Regulations 2012. This is the SA Adoption Statement prepared in accordance with Regulation 16 (3&4) of the Environmental Assessment of Plans and Programmes Regulations 2004.

2.0 Purpose of this SA Adoption Statement

2.1 The SA process comprises a number of stages that are designed to comply with the requirements of the SEA Regulations and as guided through Government Planning Practice². This SA Adoption Statement satisfies the requirements for post adoption (Stage E) and demonstrates compliance with the requirements of the SEA Regulations as follows:

- (a) how environmental considerations have been integrated into the plan or programme;*
- (b) how the environmental report has been taken into account;*
- (c) how opinions expressed in response to— (i) the invitation referred to in regulation 13(2)(d); (ii) action taken by the responsible authority in accordance with regulation 13(4), have been taken into account;*
- (d) how the results of any consultations entered into under regulation 14(4) have been taken into account;*
- (e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and*
- (f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme*

3.0 How has the SA informed the SWDP?

3.1 The SA was carried out in an iterative and ongoing way with the plan making process since 2007 and was undertaken in accordance with good practice guidance³. The SA Report (November 2012) presented the scope of the appraisal, methods used, the findings of the SA process from 2007 through to 2012, responses to consultation, and outlined the influence of, and integration with, the SA and plan-making processes. The Report encompassed the whole process including setting out the key findings of the SA at each stage of plan-making and referencing the details previously published. This SA Report was prepared in accordance with requirements of Regulation 16 of the SEA Regulations and paragraph 165 of the NPPF.

3.2 During Examination of the SWDP (Stage 1 - October 2013 & March 2014) the objectively assessed housing need (OAHN) was considerably increased from 23,200 to 28,400 dwellings. This necessitated further work to identify additional sites with Proposed Modifications and accompanying SA. During Stage 2 of the Examination (Feb- June 2015), additional SA work to address certain concerns raised in representations was requested by the Inspector. The chronology and key elements of the plan-making and the SA processes, together with publication dates for consultation, are set out in the following Table 3.1:

² http://planningguidance.communities.gov.uk/?post_type=guidance&s=sustainability+appraisal

³ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

Table 3.1: Stages of Plan-Making and SA 2007 – 2015

Ref	Plan Stage/ Documents Consultation	SA Documents Consultation
1	Early preparation of South Worcestershire Joint Core Strategy (SWJCS)	Scoping Report Review (June 2007) Not published - for internal use.
	Evidence gathering and visioning events	Enfusion undertook an independent review of a Draft SA Scoping Report prepared by the Councils
2	Early preparation of SWJCS	SA Scoping Report (June 2007) Sent to statutory consultees (5 week consultation): 12 June to 20 July 2007
	Evidence gathering and visioning events	Relevant plans and programmes were reviewed and baseline information was analysed to help identify the issues, problems and opportunities for the area. From this analysis and subsequent consultation, a SA Framework of objectives was developed to comprise the basis for appraisal of the emerging JCS.
3	SWJCS Issues and Options Paper (November 2007) Public consultation for 6 weeks: 02 November to 14 December 2007	Issues and Options SA Report (October 2007) Public consultation for 6 weeks: 02 November to 14 December 2007
	Set out 32 issues with a number of potential alternatives/options under each issue.	SA Framework amended to reflect responses received; Appendix IV (Consultation Responses) sets out the consultation responses received on the Scoping Report and how they were addressed. Each option was subject to a high level SA with summary findings set out in Section 5 of the SA Report and appraisal matrices presented in Appendix III.
4	Preparation of SWJCS Preferred Options	Update to Evidence (Baseline & Plans and Programmes Review) Not published at this point - internal use only to support the assessment of the SWJCS Preferred Options.
	Evidence gathering continues; review of consultation comments.	Update of baseline and PP Review with a specific focus on equality and health aspects.
5	SWJCS Preferred Options Paper (September 2008) Public consultation for 6 weeks: 19 September to 31 October 2008	SWJCS Preferred Options SA Report (August 2008) Public consultation for 6 weeks: 19 September to 31 October 2008
	Sets out 22 preferred policies including comment on	Each proposed policy (preferred option) was subject to detailed SA with summary findings set

Ref	Plan Stage/ Documents Consultation	SA Documents Consultation
	alternative options considered; reasons for rejecting the alternative options are summarised.	out in Section 6 of the SA Report and detailed appraisal matrices presented in Appendices III, IV & V.
6	Early preparation of Site Selection and Site Allocations and Policies DPD	Draft Sustainability Appraisal of Strategic Sites (Preferred Options) (December 2009) Not published.
	Evidence gathering & early preparation of Sites DPD; 22 strategic sites were identified from the broad locations previously set by the WMRSS & SHLAA as preferred options to meet with the targets set by the WMRSS & informed by I&O consultation.	SA Framework was adapted (specifically decision aiding questions) to make it more relevant to the appraisal of strategic sites. Detailed SA of Strategic Sites provided in Section 2.
<p>December 2010 The South Worcestershire Joint Core Strategy, due to the demise of regional planning, becomes the South Worcestershire Development Plan and incorporates the Site Allocations and Policies DPD</p>		
7	Change from JCS to SWDP	Scope of the SA
	Strategic & detailed policies, including sites allocations, brought together in one document; evidence reviewed & overall development need reduced; timescale of plan increased up to 2030.	The scope of the SA (sustainability issues and SA methods of appraisal) remained the same as for the two documents being prepared separately; baseline information and PP review were updated to reflect changing policy and evidence. Findings of SA to date carried forward into subsequent SA of emerging SWDP.
8	Selection Criteria for Non-Strategic Housing Allocations	Draft Working Note – SA of Non-Strategic Housing Allocations Method (January 2011) Not published
	Development of selection criteria for non-strategic housing allocations - now published in the Non-Strategic Housing Allocations Background Paper (December 2012, published January 2013).	SA Framework adapted to be more relevant to the SA of non-strategic site allocations.
9	SWDP Preferred Options 2011 Public consultation for 6 weeks: 26 September to 18 November 2011	SWDP Preferred Options SA Report (September 2011) Public consultation for 6 weeks: 26 September to 18 November 2011
	Sets out 50 preferred policies including comment on alternative options considered;	Baseline and PP review updated; selection method for non-strategic housing sites correlated with SA Framework; SA Framework

South Worcestershire Development Plan (2006-30): SA Adoption Statement

Ref	Plan Stage/ Documents Consultation	SA Documents Consultation
	<p>reasons for rejecting the alternative options are summarised.</p> <p>11 strategic sites progressed from SWJC plus 4 new sites; 149 non-strategic sites proposed.</p>	<p>adapted to be more relevant to SA of non-strategic sites.</p> <p>Each strategic policy was subject to detailed SA with summary findings set out in Section 6 of the SA Report and appraisal matrices presented in Appendices 3 to 6.</p>
10	<p>Proposed Significant Changes to the 2011 Preferred Options (August 2012) Public consultation for 6 weeks: 06 August to 14 September 2012</p>	<p>Targeted Consultation on Significant Changes to the Preferred Options July 2012: SA (Integrated Appraisal) & Habitats Regulations Assessment Update Report Public consultation for 6 weeks: 06 August to 14 September 2012</p>
	<p>Document sets out changes (and reasoning) to the Preferred Options Document (2011)</p>	<p>PP review and baseline information updated; addresses consultation comments; screens changes to plan and SA undertaken of those changes that are considered significant, including new policies.</p>
11	<p>SWDP Proposed Submission Document (Jan 2013) Public Consultation for 6 weeks: 11 January 2013 to 22 February 2013</p>	<p>Pre-Submission Consultation SA Report (November 2012) Public Consultation for 6 weeks: 11 January 2013 to 22 February 2013</p>
	<p>The document sets out 63 policies along with justification. No alternative options are presented under policies.</p>	<p>Final SA Report brings together the previous stages of the SA and sets them out along with consideration of further minor changes made to the SWDP during autumn 2012 as a result of consultation responses received to the Targeted Consultation on Proposed Significant Changes (August – September 2012).</p>
12	<p>SWDP Submission Document (May 2013) Examination Stage 1 (Oct 13; Mar 14)</p>	<p>SA Addendum Report (May 2013) Public consultation</p>
	<p>Stage 1 Hearings October 2013 – Inspector requested further analysis to derive an Objective Assessment of Housing Need (OAHN) & March 2014 – Inspector's Interim Conclusions recommended an increased OAHN</p>	<p>This Report aims to provide more clarity on the SA Reports since 2007, particularly with regard to scoping and consideration of alternatives; draws together previous information – no new evidence.</p>
13	<p>SWDP additional sites Proposed Modifications (2013-14)</p>	<p>Further SA Addendum Report (September 2014) Public consultation</p>
	<p>Identification, analysis and development of potential additional sites to accommodate increased</p>	<p>Site options subject to SA and reported in further SA Addendum Report</p>

Ref	Plan Stage/ Documents Consultation	SA Documents Consultation
	OAHN	
14	SWDP Proposed Modifications Examination Stage 2 (Feb-June 2015)	Further SA Addendum Report (September 2015) Public consultation
		SA of strategic options refreshed & consultee concerns addressed through further SA in accordance with Inspector's requirement
15	SWDP Adopted (Feb 2016)	SA Adoption Statement (Feb 2016)

- 3.3 It can be seen from this table above that the SA and plan-making processes have aligned with each other according to need and as external factors and consultation concerns have arisen. Emerging elements of the Plan have been subject to SA; the findings of the SA have then informed the continuing preparation of the SWDP. At earlier stages of plan-making, initial SA indicated which approaches to strategic options would be likely to have more positive effects on sustainable development.
- 3.4 As potential strategic locations were being analysed and considered, the SA tested options and also provided comparative sustainability effects by site option and by likely significant effects on communities and settlement areas. Mitigation possibilities for any significant adverse effects were suggested for consideration in development management policies. The SA also tested the likely effects of the implementation of the SWDP as a whole. The SA Reports include details of how the SA findings informed the SWDP preparation at each stage.
- 3.5 Throughout, the appraisals have been proportionate and appropriate to the stages of plan-making. In consideration of the length of time over which the Plan and the SA documents had been prepared, there were several SA Addendum Reports that sought to clarify the process and how it has informed plan-making in a more accessible format.

4.0 How the SA and Consultation Representations have been taken into account

- 4.1 Consultation is an important aspect of SA and the preceding table 3.1 records the SA Reports accompanying drafts of the SWDP and the corresponding public consultation. It can be seen that there was consultation at each key stage of the Plan's preparation and the associated SA:
- SA scoping including statutory consultation with environmental bodies (EA, EN, EH in accordance with Reg 13(2) SEA Regulations) and public consultation; comments received from statutory bodies were

incorporated in the SA Framework and recorded in SA Scoping Report (2007)

- Initial SA of Issues & Options (2007)
- Updated SA Scoping; SA of Preferred Options SWJCS (2008)
- Updated SA Scoping; SA of Preferred Options SWDP (2011)
- SA of Targeted Consultation on Significant Changes (2012)
- SA of Pre-Submission SWDP (2012)
- Examination - SA Addendum Report (2013)
- SA of SWDP Proposed Modifications (2014)
- Examination – Further SA Addendum Reports (2014 & 2015)

- 4.2 All representations on the SA were collated together with responses addressing the concerns of consultees and recorded in a technical appendix at each stage and placed on the SWCs' website for the SWDP (<http://www.swdevelopmentplan.org/>). Thus the SA and consultation responses have been considered in an iterative and ongoing way throughout the plan-making process and in accordance with the requirements of the SEA Regulations. There was no requirement for any transboundary consultations with other Member States as the SWDP is not likely to have any significant effects on the environment of another Member State.
- 4.3 Arising from Stage 1 of the Examination, the increased allocations in Policy SWDP3 were subject to SA (SA Addendum Report September 2014). This found that they would support established urban centres and smaller market towns through continued proportionate distribution of the proposed additional development. Additional pressures on infrastructure and environmental factors would be mitigated through positive implementation of the SWDP's development management policies and other investment opportunities
- 4.4 During Stage 2 of the Examination, particular concerns were raised by consultees with regard to the SWDP Proposed Modifications. Some respondents had suggested that as the housing numbers had been increased, the strategic options for distributing the higher housing numbers should be revisited. Accordingly, the SA consultants worked with SWC Officers to identify the strategic options that should be subject to a refreshed Sustainability Appraisal.
- 4.5 A refreshed SA was undertaken by Enfusion to test the strategic options for distributing housing need across South Worcestershire, correlated to options tested previously, including those at the 2007 South Worcestershire Joint Core Strategy Issues and Options and the related Sustainability Appraisal, and to strategic options set out in the SWC Hearing Statement B/1 (2015). This included a comparative SA of strategic options for amended Policy SWDP2 (distribution) and a comparative SA of strategic options for amended Policy SWDP3 (housing targets).
- 4.6 The findings were recorded in the Further SA Addendum Report (September 2015). This refreshed SA of the housing numbers and employment land proposed, including consideration of updated evidence, demonstrated that the preferred approach, set out in SWDP2, to a development strategy

comprising principles and a settlement hierarchy with an urban focus, including urban extensions for Worcester City, for apportionment of growth is still valid. This further demonstrates the positive approach taken to considering consultee concerns through the SA process.

5.0 The Reasons for choosing the SWDP as adopted, in the light of other Reasonable Alternatives

- 5.1 At each stage of the preparation of the SWDP reasonable alternatives were identified, considered and tested through the SA process. The findings of the SA, together with the reasons for selecting or rejecting the options in plan-making were reported in the SA Reports and subject to public consultation (and as set out in the table 3.1 above).
- 5.2 The EU SEA Directive requires assessment of the likely significant effects of implementing the plan and "*reasonable alternatives*" taking into account the objectives and geographical scope of the plan; and the reasons for selecting alternatives should be outlined in the Report. The Directive does not specifically define the term "*reasonable alternative*"; however, UK SA/SEA guidance⁴ advises that it should be taken to mean "*realistic and relevant*" i.e. deliverable and within the timescale of the Plan i.e. 2030. Case law in England has clarified and provided further guidance for current practice on how alternatives should be considered in SA/SEA of spatial and land use plans, for example, The Forest Heath Judgment⁵, The Broadlands Judgment⁶ and The Rochford Judgment⁷.
- 5.3 In consideration of the importance of assessing alternatives and the length of time over which the SA and SWDP documents have been prepared, a SA Addendum Report was prepared and published in 2013 to clarify and inform the Examination. This SA report explained options in plan-making and alternatives in SA, and detailed all the options considered through SA from Issues & Options consultation in 2007 through to Preferred Options in 2011, including potential site options. The reasons for selecting or rejecting options were clearly set out for each stage of plan-making and SA and presented in matrices for easy accessibility.
- 5.4 Through the Examination process (2013-15), the SA and the plan-making processes continued to consider any reasonable alternatives and refreshed previous SAs wherever necessary, for example, in response to consultee concerns and as explained previously here in paragraphs 4.4-4.6. Overall, the reasons for choosing the SWDP as adopted, in the light of the other reasonable alternatives dealt with, included that the adopted SWDP progresses the Vision and Objectives for development planning in the South

⁴ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

⁵ Save Historic Newmarket Ltd v Forest Heath District Council (2011) EWHC 606

⁶ Heard v Broadland District Council, South Norfolk District Council, Norwich City Council (2012) EWHC 344

⁷ ~~Cogent Land LLP v Rochford District Council (2012) EWHC 2542~~

Worcestershire area with the most benefits and the least negative effects. i.e . the most sustainable development option.

6.0 Measures to be taken to monitor the significant effects of implementing the SWDP

- 6.1 The SEA Regulations require that the significant environmental effects of implementing the plan should be monitored with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action. Local Planning Authorities are required to produce Monitoring Reports on the progress of Local Plans. Government Guidance on SA/SEA advises a pragmatic approach with shared monitoring for the SA/SEA and the Plan. The SWDP Implementation and Monitoring Framework includes a wide range of indicators that also relate to the SA Framework. It is considered that these indicators will be sufficient to identify any unforeseen adverse effects at an early stage, and also provide information on the predicted effects from the SA.