

**Sustainability Appraisal of the South Derbyshire Local
Plan Part 2**

Adoption Statement

November 2017

South Derbyshire District Council Local Plan Part 2 Sustainability Appraisal Adoption Statement

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1.0 Introduction

- 1.1 The Local Plan Part 2 (LP2) forms part of the overall development plan for South Derbyshire, it will sit alongside the Local Plan Part 1 which was adopted on 13 June 2016. The Local Plan Part 2 will inform many aspects of development up to 2028. In particular the location of 14 non-strategic housing sites across the District which cumulatively will deliver around 700 homes. In addition the Plan also sets out the location of settlement boundaries of main towns and villages, the town centre boundary of Swadlincote and includes a range of thematic policies covering issues such as heritage, retail, local green spaces, and development in the countryside. LP2 also includes a number of infrastructure policies to support the delivery of a new secondary school close to the southern edge of Derby City and help coordinate the delivery of existing committed development around Infinity Garden Village near Sinfin.
- 1.2 This Sustainability Appraisal Adoption Statement has been prepared under the Strategic Environmental Assessment (SEA) Regulations as part of the process.
- 1.3 The adopted Plan, Sustainability Appraisal (SA) report and its associated documents (including the Local Plan Part 1 and associated Sustainability Appraisal Environmental Report), 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
- 1.4 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 his Report on the Examination into the South Derbyshire Part 2 Local Plan, issued on the 13 September 2017, recognises that the SA has been carried out and is adequate.
- 1.5 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.
- 1.6 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 2 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.

1.7 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 2

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 sustainability objectives were produced within a Sustainability Appraisal Scoping Report (dated November 2014) which was subject to public consultation for a five week period, as prescribed by the regulations. Following this consultation the Scoping Report was subsequently updated and the Sustainability Appraisal framework refined as a result of the responses received back during consultation. This final set of 21 Sustainability Objectives¹ (known as the SA Framework), establishes the basis against which the emerging Local Plan Part 2 has been appraised in respect of its sustainability.

2.3 The Issues and Options to be addressed through the Local Plan Part 2 were consulted upon in December 2015. It considered options concerning the amount and distribution of non-strategic housing growth as well as policies on a range of thematic issues, such as heritage, retail, local green spaces, and development in the countryside.

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

- 2.4 The Sustainability Appraisal of broad options commenced in Spring 2016 and appraisals have been updated on an iterative basis as new information has been collected, or updated broad options appraised where necessary. Sustainability Appraisal helped inform selection of the Council's Preferred Options, which were first set out in the Draft Local Plan (June 2016).
- 2.5 The Pre-submission Local Plan and updated Sustainability Appraisal were published for consultation in October 2016. 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:
- Amendments to Policy SDT1 (Settlement Boundaries and Development) to ensure it is consistent with national policy in respect of the presumption in favour of sustainable development and with the spatial strategy in the Part 1 Local Plan in clearly defining the consideration of development within and outside of settlement boundaries;
 - Alterations to Policy H23 (Non-Strategic Housing Allocations) and the site specific policies H23A-H23N for the non-strategic housing allocations to ensure these are consistent with national policy and the spatial strategy in the Part 1 Local Plan in providing for the District's housing requirements.
 - Amendments to Policies BNE5 (Development in the Countryside) and thematic housing H24-H28 to ensure the Plan is effective and consistent with national policy and the spatial strategy in Part 1 Local Plan in securing sustainable development within the Rural Areas of the district;
 - Changes to Policy BNE7-BNE11 to ensure policies are effective and fully consistent with the Part 1 Local Plan
 - Changes to Policies RTL1 and RTL2 to ensure that the management of development for main town centre uses within Swadlincote Town Centre and the District's retail hierarchy is consistent with national policy and with permitted development rights.
 - Amendments to Policy INF12 to ensure the allocation of land for secondary school facilities in the southern Derby area is compliant with national policy on the Green Belt;
 - Incorporation of a new Policy INF13 to support the comprehensive development of the Infinity Garden Village proposals.
- 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 Sustainability Appraisal Environmental Report has been taken into account

- 3.1 The Environmental Report has been updated with each iteration of the plan published since June 2016. The broad options, potential site allocations 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 changes to detailed policy wording 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 9 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 (November 2014)
- Informal Consultation on Local Plan Part 2 (December 2015)
- Draft Local Plan Part 2 (June 2016)
- Pre-submission Local Plan Part 2 (October 2016)
- Main Modifications Consultation Local Plan Part 2 (July 2017).

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 objective related to Heritage 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 in November 2014. In addition, other stakeholders were also consulted including 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.

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 additional spatial options for growth, for example the potential to direct growth mainly towards larger villages or rural areas, identifying appropriate town centre boundaries or settlement boundaries and identifying potential sites to meet secondary school needs in the District. In addition responses were received from stakeholders and other consultees in respect of specific housing 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.

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 non-strategic growth to 2028. It considered a range of reasonable spatial distribution options, for locating housing, new infrastructure and town centre development. 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. The report has also considered a range of thematic options on issues such as heritage, trees, woodland and hedgerows, retail, local green spaces, and development in the countryside.

- 6.2 In addition the non-strategic housing sites capable of accommodating strategic levels of growth have been identified and subject to appraisal. Site appraisals are set out at Appendix 5 of the Technical appendices and further information to explain why sites have been preferred, or not preferred is set out in Section 7 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 2 provides an appropriate basis for the planning of the District.
- 6.3 As a whole the Plan seeks to support appropriate new development in the District to 2028, but balance the delivery of new development against the need to protect undeveloped areas and the wider environment. The Council's preferred approach will promote growth in a range of villages to meet local needs, favouring brownfield sites wherever possible, with a focus on larger communities which have a greater range of community facilities. The Plan will strictly control development outside of larger communities to those developments which require a rural location, or cannot otherwise be met within existing settlements. The Plan will also seek to deliver new retail and leisure development in appropriate locations including Swadlincote Town Centre and village centres and a new secondary school close to the southern edge of Derby close to a number of major proposed housing sites allocated through the Part 1 Local Plan in a location consistent with national policy.
- 6.4 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 (the delivery of around 700 new homes across 14 locations) this is inevitable. However the Council's approach to distributing growth (based on directing growth to larger communities which have a range of local facilities) is consistent with the principles of sustainable development and the NPPF and would be likely to perform better than alternative options assessed against the SA framework which could see greater levels of growth located in smaller less well served villages. Section 8 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 heritage, retail, local green spaces, and development in the countryside. Their inclusion in the Plan will ensure that the likely effects of the growth proposed through the Local Plan Part 2 will be minimised whilst ensuring that levels of growth sufficient to meet the requirements set out in Policies H1 (Sustainable Growth Strategy) and H4 (Housing Strategy) of the Adopted Part 1 Local Plan are met.

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 2 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.