



# **Dacorum Site Allocations Adoption Stage**

## **Sustainability Appraisal Adoption Statement**

**June 2017**



# PROJECT REPORT: CPR2426

## Dacorum Site Allocations – Adoption Stage

Sustainability Appraisal Adoption Statement - June 2017

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# 1 Introduction

## 1.1 Background

A Sustainability Appraisal (SA), that incorporates the requirements of the Strategic Environmental Assessment (SEA) Regulations, has been undertaken during the preparation of Dacorum Borough Council's Site Allocations Development Plan Document (DPD). This work has been carried out by C4S (part of TRL Ltd).

The Site Allocations DPD is the 'delivery' document for the Core Strategy that was adopted in September 2013. It focuses on the delineation of site boundaries and designations, and setting out planning requirements for new development.

The Sustainability Appraisal (SA) has identified the social, environmental and economic effects of the Site Allocations DPD, with a view to recommending ways to avoid or minimise negative effects and maximise positive effects.

This SA Statement has been prepared to accompany the adoption of the Site Allocations DPD.

## 1.2 Purpose of the SA Statement

The SEA Regulations require that a 'statement' be made available to accompany<sup>1</sup> the adopted plan or programme which must contain information on:

- How environmental considerations have been integrated into the plan or programme;
- How the Environmental Report<sup>2</sup> has been taken into account;
- How opinions expressed in relation to the consultations on the plan/programme and Environmental Report 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

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<sup>1</sup> The Regulations require that the statement should be made available "As soon as reasonably practicable after the adoption of a plan or programme..." (SI 2004 No. 1633 Regulation 16 (1)).

<sup>2</sup> For the SA of the Site allocations DPD references to the Environmental Report in the SEA Regulations are seen as references to the 'SA Report'

- The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

This SA Adoption Statement has been produced to fulfil this regulatory requirement, and has been widened to cover all aspects of sustainability, not just those relating to the environment.

This statement is structured as follows:

Section 2 provides a summary of the SA/SEA process including how sustainability considerations have been integrated into the Site Allocations DPD and how the SA Report has been taken into account;

Section 3 provides an overview of the consultation undertaken during the development of the Site Allocations DPD and its accompanying sustainability appraisal and how representations have been taken into account;

Section 4 describes how alternatives were considered during the development of the Site Allocations DPD and provides the reasons why the adopted Site Allocations DPD was chosen in light of the other alternatives considered; and

Section 5 confirms the measures that will be taken for monitoring significant sustainability effects of implementing the Site Allocations DPD.

## **2 How sustainability considerations have been integrated into the Site Allocations DPD and how the SA Report has been taken into account**

### **2.1 Introduction**

The combined SA/SEA process has been designed to ensure sustainability considerations are integrated into planning and decision making processes. SA/SEA is an iterative process, thereby influencing and informing each stage of plan development. Interaction between the planning and SA teams at key stages during the development of the Site Allocations DPD has helped to incorporate sustainability and environmental considerations into the plan. Throughout its development the SA process has improved the robustness of the plan by identifying the sustainability implications of the options being considered.

An SA/SEA framework of objectives was used to structure each of the assessment stages. The framework covers all of the environmental topics listed in the SEA Directive as well as including wider social and economic objectives to ensure that all aspects of sustainability were covered.

## 2.2 Stages of SA/SEA

During the development of the Site Allocations DPD a series of Sustainability Appraisal Reports and Working Notes have been published to communicate the findings of the combined SA/SEA process and enable consultation. These documents have been informed by reports and working notes produced during the associated process to develop the Dacorum Core Strategy.

For the Site Allocations DPD, three SA Working Notes were produced in the period between November 2006 and April 2014 and then a full SA Report was prepared to accompany the Pre-Submission Site Allocations document during the consultation from September to November 2014.

To take into account the Focused Changes that were made to the Site Allocations DPD following the consultation on the Pre-Submission Site Allocations, an SA Report Addendum was produced in July 2015. This Addendum provided new or revised assessments for those Focused Changes that were considered to potentially affect the findings of the original SA Report – all in a positive direction. The other Focused Changes and minor changes were judged as having little or no influence on the SA Report findings.

Further minor changes were proposed to the Site Allocations DPD prior to Submission and for the purposes of completeness it was necessary to determine whether any of these changes would have implications in relation to the findings in the SA Report and its Addendum. An SA Submission Statement (January 2016) was therefore prepared for this purpose.

Following the Submission of the Site Allocations but prior to the Examination, an additional SA Report Addendum (May 2016) was prepared in order to provide information in relation to how alternatives were considered during the development of the Site Allocations DPD, and in particular to pull together within a single document certain information previously reported in various SA Working Notes. The Addendum also provided clarification in relation to some other issues that were raised in correspondence from the Examination Inspector.

Following the Examination Hearings a schedule of Proposed Main Modifications to the DPD was produced. A third SA Report Addendum (December 2016) was produced to document the SA of the changes in the Proposed Main Modifications and changes to the Policies Map.

The stages of Site Allocations preparation and SA undertaken to date are summarised in Table 2-1.

**Table 2-1: Stages in the SA/SEA and Dacorum Site Allocations**

Dacorum Site Allocations	SA/SEA Stages	Dates
Begin document preparation	<p>Stage A: Setting the context, establishing the baseline and deciding on the scope.</p> <p>A1: Identify other relevant policies, plans and document programmes, and sustainability objectives.</p> <p>A2: Collecting baseline information.</p> <p>A3: Identifying sustainability issues and problems.</p> <p>A4: Developing the SA framework.</p> <p>A5: Consulting on the scope of the SA (<b>Scoping Report</b>).</p>	<p>SA Scoping Report, prepared February 2006. This covered all the DPDs in the Local Development Framework.</p> <p>Consultation on Scoping Report February 2006.</p>
Development of the Site Allocations DPD, including the consideration of site options.	<p>Stage B: Developing and refining options and assessing of effects.</p> <p>B1: Testing the DPD objectives against the SA framework.</p> <p>B2: Developing the DPD options.</p> <p>B3: Predicting the effects of the DPD.</p> <p>B4: Evaluating the effects of the DPD.</p> <p>B5: Considering ways of mitigating adverse effects preferred and maximising beneficial effects.</p> <p>B6: Proposing measures to monitor the significant effects of implementing the DPDs.</p>	<p>Preparation of SA Working Note on Issues and Options (December 2006).</p> <p>Preparation of SA Working Note on Supplementary Issues and Options (October 2008).</p> <p>Preparation of SA Working Note on Supplementary Schedule of Site Appraisals (May 2014).</p>
Preparation and public consultation on the Pre-Submission DPD. Further development of the DPD.	<p>Stage C: Preparing the Sustainability Appraisal Report.</p> <p>C1: Preparing <b>the SA Report</b>.</p> <p>Stage D: Consulting on the preferred options of the DPD and SA Report.</p> <p>D1: Public participation on the preferred options of the DPD and the SA Report.</p> <p>D2 (i) Appraising significant changes.</p> <p>D2 (ii) Appraising significant changes resulting from representations.</p>	<p>Preparation of SA Report of the Pre-Submission Site Allocations (September 2014).</p> <p>Preparation of an Addendum to the SA Report (July 2015) to provide an assessment of the Focused Changes.</p> <p>Preparation of a SA Submission Statement (January 2016) to assess the implications of minor changes proposed prior to Submission.</p>
Submission to the Secretary of State for Examination.	<p>D3: Making decisions and providing Information.</p>	<p>Preparation of a second Addendum to the SA Report (May 2016) to provide information on alternatives.</p> <p>Preparation of a third Addendum to the SA Report (December 2016) to provide assessment of the Main Modifications.</p>
Adoption of the Site Allocations	<p>Stage E: Monitoring the significant effects of implementing the DPD.</p> <p>E1: Finalising aims and methods for monitoring.</p> <p>E2: Responding to adverse effects.</p> <p>Preparing the <b>SEA Statement</b>.</p>	<p>Preparation of SA Adoption Statement (June 2017) <b><u>this document</u></b></p>

The documents are all available on the Local Planning Framework pages of the Dacorum Borough Council (DBC) website:

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning>

During the development of the DPD the SA process aimed to ensure the integration of sustainability considerations into the Site Allocations preparation by:

- Issuing the Scoping Report to the statutory consultees and wider stakeholder groups for comments on the key sustainability issues and proposed scope of the SA;
- Undertaking the SA process in parallel with development of the Site Allocations and by providing information on sustainability implications to influence the content of the Site Allocations;
- Assessing the draft appraisal methodology used by the Council when initially assessing sites through the Schedule of Site Appraisals. This ensured that the methodology used by the Council was aligned with the SA Framework at a level appropriate to the early consideration of site options;
- Undertaking an assessment of the Site Allocations at several stages during its development;
- Recording an assessment of the predicted sustainability effects of the Site Allocations in the SA Report and SA Working Notes written as the DPD was progressed; and
- Making recommendations as appropriate in the SA Report for how the Site Allocations could be amended to reduce or offset adverse sustainability effects and enhance positive effects.

### **2.3 Habitats Regulations Assessment**

A Habitats Regulations Assessment (HRA) was undertaken for the Dacorum Core Strategy which concluded that there would be no significant effects, as a result of either air pollution or recreation disturbance, on the Chiltern Beechwoods SAC, from either individual developments or cumulative effects from the implementation of the Core Strategy. Natural England agreed with the conclusions of the HRA and the avoidance and mitigation proposed.

The SA report for the Site Allocations Pre-Submission (Sept 2014) identified that whilst the Site Allocations DPD provides a greater level of detail to the location of development to that which was included in the Core Strategy, it does not put forward any sites that are of a scale and/or location that

would alter the findings of the HRA of the Core Strategy. Based on their review of the Pre-Submission Site Allocations DPD, Natural England were satisfied with this conclusion.

The changes proposed in the Focused Changes to the Site Allocations (July 2015) were screened to determine whether there were any that were of a nature that could alter the findings of the Core Strategy HRA. This additional screening process concluded that none of the Focused Changes were of a scale and/or location that would alter the findings of the previous HRA. The same was found for the additional minor changes proposed to the Site Allocations DPD as well as the proposed Main Modifications or associated Policy Map changes. Therefore the conclusions of the Core Strategy HRA Report continue to remain unchanged.

### **3 How consultation comments have been taken into account**

#### **3.1 Requirements for the SA Statement**

The SEA Regulations require that the statement produced on adoption of the plan or programme (this statement) should provide information on how the opinions expressed in response to consultation on “the relevant documents” have been taken into account. For this statement the relevant documents are as follows:

- The Pre-Submission Site Allocations DPD, Focused Changes, and the Proposed Main Modifications; and
- The Sustainability Appraisal Report (September 2014) and the SA Report Addendum (July 2015).

#### **3.2 Site Allocations consultation**

294 representations were received during the consultation on the Pre-Submission Site Allocations DPD (September 2014) and an additional 105 representations were received during the consultation on the Focused Changes (July 2015). Further to these, 520 representations were received during consultation on the proposed Main Modifications that was undertaken in December 2016 following the Examination hearings. Full details of these representations and how they have been taken into account in finalising the Site Allocations DPD are provided in the Report of Representations on the Pre-Submission Site Allocations DPD (July 2015), Report of Representations on the Focused Changes (January 2016) and



Report of Representations on the Main Modifications (April 2017). These documents are available on the Local Planning Framework pages of the DBC website:

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning>

### **3.3 SA Report**

The SEA Directive requires consultation of documents at various stages of the SA process, as indicated in Table 2-1. Consultation was undertaken at several stages as outlined in the sections below.

#### **3.3.1 SA/SEA Scoping**

The first round of SA/SEA consultation was undertaken at the end of the scoping stage in February 2006. The SEA Regulations require that statutory environmental consultees (Countryside Agency, English Nature (both now merged as Natural England), English Heritage (now Historic England) and the Environment Agency) should be consulted on the scope and level of detail of the SEA. However, the consultation was widened to include other local stakeholders that also covered other environmental, social and economic topic areas. The consultation was undertaken through the publication of a Scoping Report and through a scoping workshop.

The aim of the scoping consultation was to ensure that all the relevant issues were identified and discussed at an early stage of the process so that they could be addressed during the SA and plan making. The list of those who responded, along with a summary of the comments received and how they were addressed were included in Appendix D of the Core Strategy SA Report (September 2011).

#### **3.3.2 Site Allocations SA Working Notes**

Consultation was carried out on the Issues and Options SA Working Notes (in November 2006 and October 2008), alongside the consultation on the Site Allocations Issues and Options Papers. No responses were received that directly related to the Sustainability Appraisal.

In addition, much consultation occurred on the SA of the Core Strategy during the plan's development from 2005 until its adoption in 2013. All of the consultation comments received on the SA of the Core Strategy were taken into account when undertaking the SA of the Site Allocations DPD.

### **3.3.3 Pre-Submission SA Report – September 2014**

Representations on the Pre-Submission Site Allocations and its accompanying SA Report were received following the consultation in autumn 2014. Amongst the representations received, some were directly or indirectly related to the Sustainability Appraisal. These SA specific representations were made by the following organisations/individuals:

- Natural England;
- Hertfordshire County Council Ecology Officer; and
- Boyer Planning on behalf of W. Lamb Ltd

Details of the representations received and the SA/SEA responses to the representations are provided in Appendix 1 of the SA Report Addendum (July 2015).

Whilst none of the representations resulted in major changes being made to the information or findings that were included in the Pre-Submission SA Report, the comments received resulted in some updates to the assessments, along with some recommendations for updates to the assessment methodology for future work on the SA/SEA of the new Local Plan.

### **3.3.4 SA Report Addendum July 2015**

One representation relating to the SA/SEA was received during the consultation on the SA Report Addendum. This was received from the Hertfordshire County Council Ecology Officer. Details of the representation and the SA/SEA responses are provided in the SA Submission Statement (January 2016). No changes were made to the previous SA/SEA assessments as a result of this representation.

## **4 Reasons why the adopted Site Allocations DPD was chosen in light of the other alternatives considered**

### **4.1 Background**

Government guidance for SA of Local Plans<sup>3</sup> states that:

*“it is the role of the SA Report to outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives”.*

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<sup>3</sup> National Planning Practice Guidance

However it should be noted that it is the plan making authority which is the primary decision-maker in relation to identifying what is to be regarded as a 'reasonable alternative'.

The Environmental Assessment of Plans and Programmes Regulations 2004<sup>4</sup> require that the Environmental Report (this being the Pre-Submission SA Report in the case of the Dacorum Site Allocations DPD) shall:

*"... identify, describe and evaluate the likely significant effects on the environment of -  
(a) implementing the plan or programme; and*

*(b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme."* Regulation 12 (2).

The SA Report (September 2014) provided information on how options had been considered during the development of the Site Allocations DPD and this information was supplemented through the publication of an SA Report Addendum (May 2016) in order to provide a more detailed description of how alternatives were considered during the development of the Site Allocations DPD.

That SA Report Addendum (May 2016) also reproduced the information on the selection and rejection of site options that was included in the SA Working Notes of December 2006, October 2008 and May 2014. By including all this detail in an Addendum to the SA Report it negated the need for a 'paper chase' to access the information.

## **4.2 Alternatives for the Site Allocations DPD**

### **4.2.1 Introduction**

Reasonable alternatives were appraised at each stage of DPD preparation, as described in more detail below. This assessment was undertaken in parallel with the Council's Schedules of Site Appraisals published in 2006, 2008 and 2014. These schedules assessed a range of possible allocations and incorporated sites put forward directly by landowners together with those identified through the Council's own technical work (i.e. the SHLAA).

As part of their 'site sieving' process the Council dismissed a large number of sites that could not be considered as 'reasonable alternatives' due to a range of 'exclusionary criteria' (e.g. location in the Green Belt, in flood zone, in AONB).

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<sup>4</sup> Statutory Instrument 2004 No. 1633

#### **4.2.2**      *Link to the SA of the Core Strategy*

The consideration of alternatives for the Site Allocations DPD was not undertaken in isolation, as the Site Allocations DPD is not a stand-alone Local Plan, but a 'daughter document' to the adopted Core Strategy. As such, it was therefore appropriate for certain matters to be assessed in the SA of the Core Strategy and not duplicated in the SA of the Site Allocations DPD<sup>5</sup>.

During the process of developing the Core Strategy a range of options were considered and, where appropriate, subject to SA. At each stage the findings of the SA were documented in a published report. The Core Strategy SA Adoption Statement (October 2013) summarises this entire process.

The consideration of Issues and Options for the Core Strategy was supplemented by the consideration of Issues and Options for the Site Allocations DPD. This covered topics including: settlement strategy; housing; employment; retailing; transport infrastructure; community development; leisure and recreation; landscape, biodiversity and historic heritage; and design. The SA undertaken for the Site Allocations Issues and Options (SA Working Note, December 2006) considered the implications on sustainability of the various issues raised and questions posed.

The Local Allocations (LA1-LA6) that are included in the Site Allocations DPD were established in the adopted Core Strategy and it was during the development of the Core Strategy that reasonable alternative sites for the Local Allocations were considered and the process documented in the SA Report for the Core Strategy (September 2011).

Work on the Site Allocations DPD was put on hold during the development of the Core Strategy. Once adopted the Core Strategy provided a different 'planning landscape' in which the Site Allocations was further developed and in which some alternatives which were previously considered as potential allocations were no longer seen as such. The majority of the reasons for rejecting such sites were based on non-compliance with the Core Strategy – particularly with regard to Policies CS1: Distribution of Development; CS2: Selection of Development Sites; CS5: Green Belt; CS22: New Accommodation for Gypsies and Travellers; and CS24: The Chilterns Area of Outstanding Natural Beauty.

However it did not result in the opposite effect, i.e. of making some sites that were previously rejected now being considered as reasonable, as those reasons for earlier rejection remained valid under the Core Strategy.

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<sup>5</sup> See Regulation 12(d) of The Environmental Assessment of Plans and Programmes Regulations 2004

The Core Strategy therefore created a clear and logical distinction between those sites considered to be 'reasonable alternatives' before the adoption of the Core Strategy, and those after.

#### **4.2.3 *Issues and Options – 2006***

At this stage the SA identified potential environmental constraints relating to the sites being considered and assessed the Council's sustainability conclusions reached for each of the proposed sites. The SA made recommendations as to whether sites should be progressed or not to the Pre-Submission stage. In addition, as described above, the SA also considered topic based Issues and Options (settlement strategy etc.). The findings of the SA were reported in an SA Working Note (November 2006).

#### **4.2.4 *Supplementary Issues and Options – 2008***

A similar process was undertaken in 2008 in relation to the additional sites that had been identified after November 2006. Again, recommendations were made as to whether sites should be progressed or not to the Pre-Submission stage. The findings of the SA were reported in an SA Working Note (October 2008).

#### **4.2.5 *Supplementary Schedule of Site Appraisals - 2014***

In April 2014 a third round of site appraisals was undertaken and subject to SA. Some of the sites appraised were variations of sites previously appraised, with modified footprints or uses being proposed. The findings of the SA were reported in an SA Working Note (May 2014).

### **4.3 Conclusions**

The outcome of the combined process of site assessments by the Council and the associated SA process, was that all the sites considered through the Schedules of Site Appraisals that were considered to be 'reasonable alternatives' post-Core Strategy adoption, went on to be included in the Site Allocations DPD (i.e. there were not any 'reasonable alternatives' that were not taken forward).

The only exceptions were those sites with a capacity of less than 10 dwellings which were not considered for specific identification in the Site Allocations DPD due to their small size. In other words, the Council did not exclude sites from the Site Allocations DPD that were considered to be appropriate in terms of both their sustainability and their compliance with strategic policies set out in the adopted Core Strategy.

The reasons for rejecting sites at the various stages in the development of the Site Allocations DPD all remained valid at the Submission stage, as there had not been any material changes in circumstances which could result in a previously rejected site then being suitable for inclusion in the DPD, either in terms of the national or local policy context.

## **5 Measures for monitoring the significant effects of implementing the Site Allocations**

### **5.1 Introduction**

The SEA Regulations require that the responsible authority shall monitor the significant (adverse and positive) environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action. The combined SA/SEA process expands this to include other significant sustainability effects of the implementation of the plan (i.e. to also include significant social and economic effects).

### **5.2 Significant effects identified**

No significant adverse effects were identified in any of the assessments undertaken during the development of the Site Allocations DPD.

However, the assessments identified three significant positive effects as follows:

#### **5.2.1 Pre-Submission SA Report (September 2014)**

##### **❖ Proposal H/2: National Grid Land**

A significant positive effect in relation to SA Objective 8 ‘use of brownfield sites’ was identified in the Pre-Submission SA Report (September 2014), as the old British Gas site is previously developed land and development of the site would require the remediation of contaminated land which strongly supports this SA objective.

### **5.2.2 Focused Changes SA Report Addendum (July 2015)**

#### **❖ New Regionally Important Geological Site Designations**

The designation of new 'Regionally Important Geological Sites' directly supports SA Objective 2 (Biodiversity and geodiversity), and therefore significant positive effects were identified against that SA objective.

#### **❖ New Locally Registered Park or Garden of Historic Interest**

The designation of new 'Locally Registered Parks or Gardens of Historic Interest' directly support SA Objective 10 (Historic & cultural assets) and therefore significant positive effects were identified against that SA objective.

No significant effects were identified in the assessment of the proposed Main Modifications (SA Report Addendum, December 2016).

## **5.3 Monitoring of significant effects**

### **5.3.1 SA Objective 8 'use of brownfield sites'**

The significant effect related to 'Proposal H/2: National Grid Land' is a site specific effect for which any monitoring should be linked to the Council's Development Management functions relating to Contaminated Land Conditions. These conditions require that a Remediation Statement should be produced and that all remediation or protection measures identified in the Remediation Statement should be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement. A Site Completion Report needs to be submitted to and approved in writing by the local planning authority.

For the purposes of the SA/SEA the approval of the Site Completion Report should be the 'indicator' to be monitored.

### **5.3.2 SA1 (Biodiversity and geodiversity) and SA10 (Historic & cultural assets)**

The significant effects identified for SA1 (Biodiversity and geodiversity) and SA10 (Historic & cultural assets) are associated with new designations and as such do not constitute effects which can be monitored. Dacorum's Authority Monitoring Report<sup>6</sup> reports on monitoring measures associated with

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<sup>6</sup> Delivering Success: Authority Monitoring Report & Progress on the Dacorum Development Programme

the Core Strategy topic areas of 'Enhancing the natural environment' and 'Conserving the historic environment' and these will monitor progress of the attainment of targets associated with topic specific indicators.

### **5.3.3 Reporting**

Monitoring measures required in relation to the implementation of the Site Allocations DPD will be incorporated into the Authority's Monitoring Report.