

# Sustainability Appraisal Post Adoption Statement

(April 2018)



Working in Partnership

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## 1. Introduction

- 1.1. The North East Lincolnshire Local Plan sets out planning policies and site allocations for the Borough for the period 2013 to 2032. The Local Plan was found sound by the Planning Inspectorate in the Inspector's Report dated 7<sup>th</sup> February 2018, and a decision to formally adopt the Plan was taken by the Council on 22<sup>nd</sup> March 2018. Further details of the adoption process and supporting documents can be found on the Council's website.<sup>1</sup>
- 1.2. In accordance with the Planning and Compulsory Purchase Act 2004, Section 19 (5)2, the Local Plan has been subject to Sustainability Appraisal (SA). The SA incorporates requirements for Strategic Environmental Assessment (SEA). For the purposes of this statement and its compliance with planning and environmental assessment Regulations, the integrated appraisal is referred to as the Sustainability Appraisal (SA).
- 1.3. The SA process comprises a number of stages that are designed to comply with the requirements of the SEA Regulations and is informed by National Planning Practice Guidance. This statement satisfies the requirements for post adoption (Stage E) and demonstrates compliance with the SEA Regulations by explaining the following:
  - How environmental considerations and the Sustainability Appraisal Environmental Report have been integrated into the plan;
  - How the environmental report has been taken into account;
  - How consultation responses have been taken into account;
  - The reasons for choosing the plan as adopted, in 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.

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<sup>1</sup> <https://www.nelincs.gov.uk/planning-and-development/planning-policy/>.

## **2. How environmental and sustainability considerations have been integrated into the Local Plan and how the environmental report has been taken into account**

- 2.1. During the plan-making process, SA (incorporating SEA) has been carried out as an iterative and ongoing process to inform decision making for the developing Local Plan. The SA was undertaken in accordance with government guidance for a staged approach that integrates appraisal to consider the effects of the emerging plan on socio-economic as well as environmental factors. This SA is an integrated approach that includes the findings from the Habitats Regulations Assessment (HRA) – driven by different legislation and reported separately.
- 2.2. Independent specialist consultants were appointed to carry out the SA, providing support for the Council. They worked closely with the plan-making team in an iterative way such that the findings and recommendations from the SA were integrated into each stage of the Local Plan. The SA Report (the environmental report) has been updated and published with each iteration of the Local Plan published since January 2015, describing the methodology, the negative and positive effects identified including cumulative effects, and recommendations to avoid or minimise negative effects and maximise positive effects. All SA and HRA reports are available on the Council's website.<sup>2</sup>
- 2.3. The SA used a framework of objectives and decision-aiding questions to describe, analyse and compare the potential environmental and sustainability effects of the Local Plan. This framework is known as the "SA Framework" and was developed and refined through public consultation with statutory consultation bodies and key stakeholders in 2013. It is explained in Section 2 of the SA Report (July 2017). The objectives were derived from the sustainability issues which were identified from a review of relevant plans and programmes and the sustainability baseline. The plan's Vision, Strategic Objectives, policies, sites and reasonable alternatives have all been subject to appraisal against the SA Framework.

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<sup>2</sup> <https://www.nelincs.gov.uk/planning-and-development/planning-policy/>.

- 2.4. The SA considered the likely significant effects of the implementation of the plan on the sustainability objectives for the Borough. For each aspect of the Plan, the assessment against the SA Objectives was recorded with a narrative provided describing any significant effects identified mitigation of any significant negative effects, and any suggestions for enhancing potential beneficial effects. In line with the SEA Regulations, the appraisal considered effects including short, medium and long term, permanent and temporary, positive and negative, secondary, cumulative and synergistic wherever possible and relevant. Any gaps or difficulties were also reported.
- 2.5. The findings and recommendations of the SA informed plan-making and were integrated into the further development of the plan – as set out in section 5 of the SA Report (2017). Where relevant, the SA made recommendations for mitigating likely negative effects, for example, by suggesting refinements of policy wording. In particular, the findings of the SA guided the selection of potential site allocations by identifying sustainability issues, including the cumulative effects of development for settlements and sensitive receptors.
- 2.6. During the Examination in 2017, the Inspector requested that the Council reconsider its Objectively Assessed Housing Need (OAHN) in light of emerging trend data. The Council therefore revised the OAHN downwards to a minimum of 9,742 dwellings, but retained an identified land supply capable of capturing the higher level of growth (i.e. 13,340 dwellings expressed as the OAHN in the Pre-submission Draft Local Plan). The Spatial Strategy and approach to site allocations therefore remained the same. These changes and the Proposed Main Modifications to the Local Plan arising from the Examination and issues discussed at the Hearings were subject to SA and public consultation. Comments received were taken into consideration by the Inspector in her final report.

### 3. How the opinions raised during consultation have been taken into account

3.1. Consultation is an important aspect of SA. Statutory and public consultation was undertaken at each key stage of the Local Plan preparation as follows:

Published Local Plan document and consultation period	Published SA/SEA Report and consultation period
<b>New Local Plan Initial Issues and Options Paper (2012)</b>  26 October to 7 December 2012	
Further evidence gathering	<b>Sustainability Appraisal Scoping Report (2013)</b>  14 August to 18 September 2013  (Consultation with the environmental bodies <sup>3</sup> and other relevant stakeholders)
<b>Consultation Draft Local Plan (2015)</b>  2 February to 13 March 2015	<b>Draft North East Lincolnshire Local Plan Sustainability Appraisal Report (2014)</b>  2 February to 13 March 2015
<b>Pre-Submission Draft Local Plan (2016)</b>  29 February to 13 April 2016	<b>North East Lincolnshire Local Plan Pre-Submission Draft Sustainability Appraisal Report (2016)</b>  29 February to 13 April 2016
Further consultation and <b>additional and updated evidence</b> to support the Pre-Submission Draft Local Plan (2016)  3 October to 28 October 2016	<b>North East Lincolnshire Pre-Submission Draft Sustainability Appraisal Addendum (2016)</b>  3 October to 28 October 2016
<b>Schedule of Proposed Main Modifications</b>  20 September to 31 October 2017	<b>North East Lincolnshire Pre-Submission Local Plan, incorporating Main Modifications Sustainability Appraisal Report (2017)</b>  20 September to 31 October 2017
<b>Adoption of the North East Lincolnshire Local Plan</b>  March 2018	<b>SA/SEA Adoption Statement</b>  April 2018 (this document)

Table 1 – Consultation undertaken

<sup>3</sup> Environment Agency, Natural England and English Heritage (now Historic England).

- 3.2 SA consultation responses have been considered in an iterative and ongoing way with the plan-making process and in accordance with the requirements of the SEA Regulations. A record of the comments on the SA Scoping Report and responses to the comments, including action taken, is provided in Appendix 1 of the SA Report (July 2017). Appendix 2 presents the consultation comments in relation to the December 2014 SA Report of the January 2015 Consultation Draft Local Plan. Key responses to consultation on the Pre-Submission Local Plan and further consultation are discussed in the main body of the SA Report (July 2017), where relevant.
- 3.3 All representations to public consultation and comments made through Hearing Statements for the Examination are available to view on the Council's website.<sup>4</sup>
- 3.4 Following the examination hearings, the Council prepared a schedule of proposed Main Modifications (MMs) accompanied by an updated SA report. The Inspector has taken into account consultation responses in reaching her final conclusions on the Local Plan. Some amendments have been made to the detailed wording of the MMs, none of which significantly alter the contents of the modifications as published for consultation or undermine the participatory processes and SA that has been undertaken<sup>5</sup>. The Inspector concluded that with the recommended MMs, the Local Plan satisfies the legal requirements and meets the criteria for soundness. The SA meets with legal requirements.

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<sup>4</sup> <https://www.nelincs.gov.uk/planning-and-development/planning-policy/>.

<sup>5</sup> The Planning Inspectorate (February 2018) *Report on the Examination of the North East Lincolnshire Local Plan*

#### **4. The reasons for choosing the Plan as adopted in the light of other reasonable alternatives considered**

- 4.1 At each stage of plan preparation, reasonable alternatives to strategic options, policies and site allocations were identified, considered and appraised through the SA, as required by the SEA Regulations (12)(3). Extant SA /SEA guidance advises that the term “reasonable alternative” should be taken to mean “realistic and relevant” i.e. deliverable within the timescale of the plan.
- 4.2 The findings of the appraisal of reasonable alternatives and preferred policies and sites provided information on their sustainability, and were reported in the SA Report at each stage of Local Plan preparation and subject to public consultation. Section 4 and 5 of the Final SA Report (July 2017) clearly sets out the reasonable alternatives considered at each stage of the preparation of the plan.
- 4.3 The policies taken forward in the adopted Local Plan were selected with consideration to national planning policy and the Local Plan evidence base, as well as the results of the SA. Mitigation measures introduced into policy wording will help to reduce potential negative impacts, and the planning application process will allow further consideration of site specific issues, for example, through supporting documents such as Environmental Impact Assessments, site specific Habitat Regulations Assessment as well as the use of planning conditions and obligations.

## **5. The measures that are to be taken to monitor the significant sustainability and environmental effects of the implementation of the Plan**

- 5.1. The SEA require that the significant 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.
- 5.2. Local Planning Authorities are required to produce Annual Monitoring Reports on the progress of Local Plans. National Planning Practice Guidance (NPPG) on SA/SEA advises a pragmatic approach with shared monitoring for the SA/SEA and the Plan. The Local Plan monitoring framework set out at Appendix A of the Plan includes a wide range of indicators that also relate to the SA Framework. These indicators are considered sufficient for identifying any unforeseen adverse effects at an early change, and providing information on the predicted effects from the SA. Monitoring of the Local Plan will be available to view on the Council's website.<sup>6</sup>

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## Document Availability

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