

EAST HERTS COUNCIL

EXECUTIVE – 11 SEPTEMBER 2018

REPORT BY LEADER OF THE COUNCIL

EAST HERTS DISTRICT PLAN - SUSTAINABILITY APPRAISAL ADOPTION STATEMENT

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To inform Members of the content of the final Sustainability Appraisal Adoption Statement of the East Herts District Plan.
- To recommend that the Sustainability Appraisal Adoption Statement be agreed for publication alongside the East Herts District Plan.

RECOMMENDATIONS FOR EXECUTIVE: To recommend to Council that:

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| (A) | the content of the Sustainability Appraisal Adoption Statement as set out in Essential Reference Paper 'B', be noted; |
| (B) | the Sustainability Appraisal Adoption Statement be published alongside the adopted District Plan 2011-2033 in accordance with Regulation 16 of the Strategic Environmental Assessment Regulations 2004. |

1.0 Background

- 1.1 The SA considers and communicates the likely significant effects of an emerging plan, and the reasonable alternatives considered during the plan-making process. The aim of the SA is to inform and influence the plan-making process with a view to avoiding or mitigating negative effects and maximising positive effects.
- 1.2 The process of Sustainability Appraisal (SA) is undertaken in line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004 (the Strategic Environmental Assessment (SEA) Regulations), which transpose into national law the European Union Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment'. SA incorporates the requirement for SEA and widens the scope of the assessment to also include social and economic issues.
- 1.3 The SA has been undertaken over many years in an integrated process parallel to the preparation of the District Plan. Through this integrated approach, the SA seeks to maximise the District Plan's contribution to sustainable development. The final step of this integrated approach is the publication of a final Sustainability Appraisal Adoption Statement which is attached at **Essential Reference Paper 'B'**.

2.0 Report

- 2.1 The Report on the Adoption of the East Herts District Plan (Agenda Item 9) summarises the key steps and milestones undertaken throughout the plan-making process. The report illustrates how the process of Sustainability Appraisal has been undertaken at every step, including the preparation of the Main Modifications prepared in response to the Examination in Public. Following consideration of the representations made in response to the consultation on the Main Modifications, the Inspector has recommended some further

amendments to the Plan in terms of the detailed wording of the following Main Modifications. This Adoption Statement SA therefore also considers the Inspector's amendments.

2.2 As soon as reasonably practicable after the District Plan is adopted, the Town and Country Planning (Local Planning) (England) Regulations 2012 require the Council to make available:

- (i) the District Plan;
- (ii) an Adoption Statement;
- (iii) the Sustainability Appraisal report;
- (iv) details of where the District Plan is available for inspection and the places and times at which the document can be inspected.

2.3 Furthermore, the SEA Regulations set out (Regulation 16) the post-adoption procedures and requires, that as soon as reasonably practicable after the adoption of a plan for which an SA/SEA has been carried out, the planning authority must make a copy of the plan publicly available alongside a copy of the SA Report and an 'SEA Adoption Statement', and inform the public and consultation bodies of the availability of these documents.

2.4 In this context, this SA Adoption Statement for the East Herts District Plan must explain:

- How environmental (and sustainability) considerations have been integrated into the Local Plan;
- How the SA Report has been taken into account during preparation of the plan;
- The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with;
- How the opinions expressed by the public and consultation bodies during consultation on the plan and SA Report have been taken into account; and

- The measures that are to be taken to monitor the significant effects identified for the Local Plan.

2.5 The SA Adoption Statement is therefore structured as follows:

- Chapter 2 presents the narrative for plan-making and the accompanying SA process to date. This incorporates a description of the elements required by the first three bullets above. The chapter explains how the appraisal of reasonable alternatives has been undertaken at each stage, and how the plan-making process incorporated the SA process in a fully integrated way.
- Chapter 3 summarises how the consultation responses have been taken into account at each stage of plan-making. There were relatively few comments made which specifically referred to the SA; these were reviewed and it was determined that no further SA work was required.
- Chapter 4 presents the monitoring programme for the SA.
- Chapter 5 sets out some overall conclusions on the SA process.

2.6 The process of monitoring the effects of the Plan is a continual one. The SA Adoption Statement collates a number of existing monitoring indicators into the SA Framework themes. The Council will be updating its Authority Monitoring Report to incorporate new and existing indicators, including those required by the National Planning Policy Framework. This ongoing monitoring enables the Council to respond quickly to changing circumstances.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Information on the District Plan Examination can be found here:

<https://www.eastherts.gov.uk/districtplanexamination>

The Town and Country Planning (Local Planning) (England) Regulations 2012 are available here:

<http://www.legislation.gov.uk/uksi/2012/767/contents/made>

The Environmental Assessment of Plans and Programmes Regulations 2004 are available here:

<http://www.legislation.gov.uk/uksi/2004/1633/schedule/1/made>

All Sustainability Appraisals prepared for the East Herts District Plan are available here:

<http://www.eastherts.gov.uk/submission>

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