

Carmarthenshire Local Development Plan

Adoption Statement



December 2014

Carmarthenshire LDP Adoption Statement

Background

In accordance with the requirements of Regulations 25 (2) of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2005 and Regulation 16 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, the Authority is required to prepare an Adoption Statement for the Carmarthenshire County Council Local Development Plan.

Part 1 of the statement addresses the requirements of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2005 and Part 2 accords with the requirements of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

PART 1: LDP STATEMENT OF ADOPTION

The Carmarthenshire Local Development Plan (LDP) was adopted on the 10 December 2014. The LDP became operative on its adoption.

The Carmarthenshire LDP is the planning policy document for the county of Carmarthenshire (excluding that area covered by the Brecon Beacons National Park). It sets out key policies and land use allocations that will shape the future of the County and guide development up to 2021. The Carmarthenshire LDP replaces the Carmarthenshire Unitary Development Plan (UDP).

Copies of the adopted LDP, the report of the Planning Inspector appointed to hold the independent examination, the Sustainability Appraisal (SA) report (incorporating the Strategic Environmental Assessment SEA) and Habitats Regulations Assessment together with this Adoption Statement are available for inspection free of charge at the following Council Offices between the hours of 8.45am and 5.00pm Monday to Thursday and 8.45am to 4.30pm on Fridays and at all Public Libraries:

- Customer Service Centre, 3 Spilman Street, Carmarthen;
- Customer Service Centre, Ty Elwyn, Llanelli;
- Customer Services, Town Hall, Ammanford;
- Planning Services, 8 Spilman Street, Carmarthen;
- Planning Services, Municipal Offices, Crescent Road, Llandeilo.

A person aggrieved by the LDP who desires to question its validity on the ground that it is not within the powers conferred by Part 6 of the Planning and Compulsory Purchase Act 2004 or that any requirement of that Act or any regulation made under it has not been complied with in relation to the adoption of the LDP, may, within six weeks from the date specified on the adoption notice make an application to the High Court under Section 113 of the 2004 Act.

PART 2 - ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES (WALES) REGULATIONS 2004

Introduction

The LDP provides a spatial framework which is underpinned by the principles of sustainable development.

The LDP provides a policy framework that integrates social, environmental and economic issues that are relevant to the people who live, work and visit the County of Carmarthenshire.

This section of the Adoption Statement describes how the SA/SEA process has influenced the progression of the LDP and how environmental considerations and consultation responses have been taken into account during the development of the Plan. It also notes why the Deposit LDP was progressed in the light of other reasonable alternatives and highlights the measures that have been developed to track the effects of the Plan.

The SEA Regulations require that a 'statement' be made available to accompany the adopted plan or programme. The Regulations require that this post 'Adoption Statement' provides the following information:

- How environmental considerations have been integrated into the plan or programme;
- How the Environmental Report (the SA/SEA Report) 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
- The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

The LDP was also subject to a Habitats Regulations Assessment (HRA) which was carried out in parallel to the SA/ SEA process. The HRA assessed the impacts of LDP in combination with the effects of other plans and projects on European sites designated for their ecological status. This assessment also accompanied the Deposit LDP and adopted Plan and was reported separately.

The remainder of this document addresses each of these matters in turn. It should be noted however that a substantial amount of information relating to these matters is contained within existing documents such as the SA/SEA reports, LDP Consultation Report and Inspectors' Report. In accordance with paragraph 8.5.2 of the Local Development Plan Manual (June 2006), rather than duplicate this material, appropriate cross references are made to relevant documents within this statement.

HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED INTO THE LOCAL DEVELOPMENT PLAN

The LDP has been subject to a Strategic Environmental Assessment (SEA) in order to consider the potential impact of the Plan on the environment and to improve the Plan's environmental performance. The SEA and Sustainability Appraisal (SA) processes have been undertaken in parallel and integrated within the Sustainability Appraisal Report and other SA/SEA related documents.

A Habitats Regulations Screening Assessment has also been undertaken, which concluded that the LDP will not have a significant effect on European sites, alone or in-combination with any other plans or projects.

The SA (incorporating SEA) has been prepared by Carmarthenshire County Council in conjunction with consultants JACOBS. The SA process is intended to assist in the implementation of the LDP with a view to delivering sustainable development in Carmarthenshire.

The SA has gone through several stages. A Scoping Report to provide the background to the SA process was prepared in 2008. This was made available for public consultation. The Scoping Report sets out a baseline along with the SA objectives. A table appraising the SA Scoping Report consultation responses received, and the actions required for the SA Stage B Environmental Report, was developed by JACOBS and made available online in early 2010.

An initial SA report was published for consultation in November 2009 alongside the pre deposit Preferred Strategy documents. This Initial SA reviewed 5 spatial option scenarios. All of the consultation responses received in respect of the Initial SA report went to JACOBS, whose recommendations in relation thereto went to full Council alongside the Preferred Strategy. An assessment of growth options/scenarios was undertaken. This formed part of an iterative approach to Plan making.

The SA report went to Council on April 13 2011 along with the deposit LDP. The deposit LDP SA report, the non technical summary along with an annex containing the SA assessment of sites, was placed on Deposit for consultation alongside the LDP in mid June 2011. A guide for proponents for alternative sites in relation to SA requirements was also published by the Authority.

As a result of public consultation on the Deposit LDP and associated documentation (including the SA), the Council considered it necessary to propose a number of Focused Changes to the Plan. To this end, an SA report was made available to accompany/inform the consultation undertaken on the Focused Changes (July 2013).

The SA Report was submitted in August 2013 ahead of the LDP Examination. This report included the final SA assessment of the LDP and included the Focused Changes.

In response to agreed actions at the LDP Examination, the Council published a series of Matters Arising Changes (MACs) for consultation in June 2014. A Schedule of Implications for the Sustainability Appraisal and Habitats Regulations Assessment reports were made available to accompany/inform this consultation.

The outcomes of the Inspector's deliberations as contained within the report have also been subject to due consideration and been incorporated into the final SA-SEA and HRA reports.

In addition, the Council also commissioned JACOBS to undertake screening opinions on 8 Draft SPG produced. The Council consulted upon the screening opinions produced with CADW and NRW in recognition of the requirements set out in Regulation 13 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

HOW THE ENVIRONMENTAL REPORT HAS BEEN TAKEN INTO ACCOUNT

The SA/SEA and LDP were developed in parallel, with each stage of the SA/SEA informing and influencing the preparation and progression of the LDP.

SA Scoping

The first stage of the SA was a scoping exercise to identify the main sustainability issues in the plan area, to set out the approach to SA and the sustainability framework (i.e. the objectives). This stage was undertaken in 2008 and was made available for public consultation.

It is a statutory requirement in the SEA Directive for named environmental consultation bodies (Natural Resources Wales and CADW) to be consulted at this scoping stage. This was the case for the SA for the LDP, however it was decided to widen this to a full public consultation. The LDP Key Stakeholder Forum also utilised the SA framework to inform its deliberations and reports were also provided to the Council's Advisory Panel. The SA was also utilised in the formulation of the LDP issues, vision and Strategic Objectives.

Initial SA Report – Pre deposit stage

At this stage, an Initial SA Report was produced to consider the relative sustainability impacts of implementing alternative strategic spatial options. As well as the sustainability impacts of the chosen approach, the LDP at this stage contained policies for implementing the Preferred Strategy. Each policy was appraised against the sustainability objectives using a standardised matrix to ensure a systematic appraisal. This document was published alongside the Preferred Strategy for consultation in 2009. An assessment of growth options/scenarios was undertaken. This formed part of an iterative approach to Plan making.

The Assessment and Selection of Sites

The assessment and identification of sites was undertaken in accordance with a detailed Site Assessment Methodology (SAM). This process allowed for the review of a range of issues, including a site's contribution to sustainable development and other matters such as deliverability, planning permissions and conformity to the policy framework.

The SAM included, and was augmented by, a GIS-based analysis which identified the key risks and opportunities for each site against the objectives set out within the SA framework. This GIS approach systematically processed baseline environmental and socio-economic information within a spatial context. It allowed the Authority to review the impact of potential site allocations (over 600 in total). It measured the proximity of a site to environmental constraints and also to opportunities. By doing so, it contributed to the identification of potential risks of adverse impacts but also potential opportunities for beneficial effects associated with the development of a site. The results of the GIS analysis are presented as a 'score card' for each site. A relative ranking of the sites is calculated from the site score.

SA of the Deposit LDP

The SA report went to Council on April 13 2011 along with the deposit LDP. The deposit LDP SA report, the non technical summary along with an annex containing the SA assessment of sites, was placed on Deposit for consultation alongside the LDP in mid June 2011. A guide for proponents for alternative sites in relation to SA requirements was also published by the Authority.

As part of the formulation of the deposit LDP, the SA provided an iterative and dynamic sounding board which allowed for the development of a robust Plan and policy framework. Such an input allowed for the consideration of matters relating to site selection and policy formulation.

Focused Changes

As a result of public consultation on the Deposit LDP, the Council considered it necessary to propose a number of Focused Changes to the Plan. To this end, an SA report was made available to accompany/inform the consultation undertaken on the focused changes (July 2013). These Focused Changes included sites which were brought forward as "Alternative Sites" during the consultation associated with the Deposit LDP. Such sites, prior to their inclusion within the Plan, have been subject to SA-SEA as part of the above SAM and/or through a proponents SA.

Matters Arising Changes

In response to agreed actions at the Examination, the Council published a series of Matters Arising Changes (MACs) for consultation in 2014. A Schedule of Implications for Sustainability Appraisal and Habitats Regulations Assessment report was made available to inform/support this consultation. Within the Inspector's report, it states that: *"I am satisfied that these changes are in line with the substance of the overall Plan and its policies, and do not undermine the sustainability appraisal and participatory processes that have been undertaken"*.

Adopted LDP

The SA of the Adopted Plan is the final stage of the process. It is available for viewing alongside the other statutory documents, including the Inspector's Report. The integration of environmental considerations into the LDP has, therefore, been undertaken progressively and iteratively as the Plan has developed.

The Scoping Report ensured that the sustainability issues most relevant to the Plan area were identified; and the Strategy and individual policies have been appraised against this framework of Sustainability Objectives. The Inspector's Report states that: *"the Plan has been subject to SA including SEA. Focused changes and further changes put forward by the Council as part of the Examination process have likewise been tested where necessary for any impacts they have upon the SA and SEA"*.

Furthermore, the Inspector states that *"in accordance with the Habitats Directive, a HRA of the Plan has been undertaken"* and that she is *"satisfied that the HRA undertaken shows that no significant effects upon the integrity of the European Sites within the Plan area or in adjacent areas are likely to occur (either alone or in combination with other plans or projects) as a result of implementing the Plan"*.

HOW OPINIONS EXPRESSED IN RELATION TO THE CONSULTATIONS ON THE PLAN/ PROGRAMME AND ENVIRONMENTAL REPORT HAVE BEEN TAKEN INTO ACCOUNT

The SA/SEA process and has been undertaken in accordance with: Article 6 of the EU Directive 2001/42/EC; the Environmental Assessment of Plans and Programmes Regulations 2004; and the Council's Community Involvement Scheme (CIS).

There is a statutory requirement to consult with the relevant named bodies. In addition consultation should be undertaken with the public and a wider range of interested stakeholders. Consultation with the full range of stakeholders was undertaken at the following key stages:

- SA/SEA Scoping (2008);
- SA/SEA Pre Deposit Proposals (2009); and,
- SA/SEA of Deposit LDP (2011).

THE REASONS FOR CHOOSING THE PLAN OR PROGRAMME AS ADOPTED, IN THE LIGHT OF THE OTHER REASONABLE ALTERNATIVES DEALT WITH

As part of the development of the LDP, the Council considered a range of spatial and policy options.

Five Spatial Options were considered through the Pre-Deposit Proposals (which incorporated the Preferred Strategy) and were subject to SA/SEA (2009). In order to achieve the Vision and Objectives of the LDP, the Council chose to implement *Option 1 - Sustainable Distribution*. This Option seeks to establish a hierarchy of settlements which reflects the diversity of the County and is based on the principles of sustainable development. This was reflective of the outcomes of the Key Stakeholder Forum. More detail on the consideration of options and the SA/SEA recommendations is provided in the SA-SEA documentation.

THE MEASURES THAT ARE TO BE TAKEN TO MONITOR THE SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE IMPLEMENTATION OF THE PLAN OR PROGRAMME.

LDP Regulation 37 requires the Council to prepare, and subsequently submit to Welsh Government, an Annual Monitoring Report (AMR). This is required to monitor specific items, as well as identifying where and why policies of the Plan are not being implemented. Regulation 17 of the SEA regulations requires that the Council must monitor the most significant effects of the Plan.

Therefore, monitoring the Plan and its significant environmental effects are statutory requirements and will be undertaken through the AMR.

The Monitoring Framework, as set out within Chapter 7 of the Adopted LDP, provides the basis for measuring policy performance. In this respect, the implementation of the LDP will be monitored with appropriate regard to the objectives and outcomes of the SA-SEA.