



**Newark & Sherwood Local Development Framework**

**Amended Core Strategy Development Plan Document**

**The Environmental Assessment of Plans and Programmes Regulations 2014**

**Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA)**

**Adoption Statement**

**March 2019**

## **1.0 Introduction**

1.1 Newark & Sherwood District Council adopted the Amended Core Strategy (CS) Development Plan Document (DPD) on 7<sup>th</sup> March 2019.

1.2 This statement and the Sustainability Appraisal (SA) that it supports have been produced and publicised in line with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations (2014) and Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations (2012). As required, this statement addresses the following points:

- How environmental considerations have been integrated into the plan;
- How the environmental report has been taken into account;
- How opinions expressed through public consultation (on the SEA and SA process) have been taken into account;
- The reasons for choosing the plan as adopted, in light of other reasonable alternatives dealt with; and
- The measures that are taken to monitor the significant environmental effects of the implementation of the plan or programme.

## **2.0 Context**

2.1 Section 19(5) of the Planning & Compulsory Purchase Act 2004 requires Local Authorities are to produce a SA for any new or revised plan or programme. This SA is intended to ensure that all plans and programmes are compatible with the aims of sustainable development, through the consideration of social, environmental and economic issues and the assessment of alternative approaches or options.

2.2 The SA of the Newark & Sherwood District Amended Core Strategy was integrated with its Strategic Environmental Assessment, Equalities Impact Assessment and Health Impact Assessment to produce an Integrated Impact Assessment (IIA). For the purposes of this document, however, the IIA will often be referred to as the SA. This is because the SA (which typically incorporates the SEA) aspect of the IIA is the focus of this adoption statement.

2.3 Articles 6(3) and (4) of Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (referred to as the 'Habitats Directive') are incorporated into UK legislation through Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'). This requires an assessment of the impact of spatial plans on any 'European sites' which form part of the Natura 2000 network.

### **3.0 How environmental considerations have been integrated into the Plan**

3.1 The first stage in the SA process involved the scoping of the main sustainability issues facing the District to establish an appropriate appraisal framework. This work led to the publication of a further draft Scoping Report in October 2015 and a final version in December 2015.

3.2 From this scoping work an Integrated Impact Assessment Framework was developed which is built around a range of objectives to assess policies against. These eighteen objectives reflect the equality, health, environmental and sustainability issues of key importance to Newark and Sherwood and are detailed below:

1. Housing - To ensure that the housing needs of the District are met;
2. Health - To improve health and reduce health inequalities;
3. Historic environment and cultural assets - To conserve and enhance the District's historic environment and heritage assets and setting including buildings, sites and features of archaeological, historic, architectural and cultural interest and their settings, as well as facilitating access to them;
4. Community safety – To improve community safety, reduce crime and lessen the fear of crime;
5. Sustainable communities - Development should be focused in sustainable locations where community facilities and services, housing and employment uses are integrated, promoting social cohesion and interaction, and facilitating healthy lifestyles;
6. Biodiversity - To increase biodiversity levels across the District and protect habitats;
7. Landscape and land use – To enhance the District's landscapes, prevent inappropriate development, facilitate access to green spaces and the countryside, and develop Green Infrastructure networks;
8. Natural resources – To maintain and enhance the quality of the District's natural resources including water, air, soils and minerals;
9. Waste - To minimise waste and increase the re-use and recycling of waste materials;
10. Energy - To minimise energy usage and to facilitate the development of appropriately located renewable energy schemes, including community led initiatives;

11. Transport - To increase the efficiency and safety of the transport network, improve accessibility to jobs and services for all, reduce car travel and promote public transport, walking and cycling;

12. Employment - To create high quality employment opportunities, and encourage enterprise and innovation;

13. Education - To improve the education and skills of the population;

14. Climate change - To reduce the District's contributions towards climate change, increase resilience, and minimise harm to human health and the natural environment;

15. Deprivation - To reduce levels of deprivation and poverty;

16. Water management and flood risk - To direct sensitive development away from areas at risk of flooding and to assist in the positive management of the water environment;

17. Design - To promote good design throughout the District and ensure that new buildings, spaces and places are of a high quality; and

18. Equality - To ensure that there is equality of opportunity and that no individuals or groups are disadvantaged or discriminated against because of race, sex, disability, religion or belief, sexual orientation, gender reassignment, maternity and pregnancy, marriage or civil partnership, age, or social inequality.

3.3 Input into defining the objectives was sought from statutory environmental bodies and other interested parties through consultation. The resulting Framework has provided the basis for the appraisal of the Amended Core Strategy.

3.4 The process of Sustainability Appraisal was firmly embedded in the production of the Plan and has been a key element in its formulation. This process has been iterative with the outcome of appraisal informing each successive stage of the document, and has considered all reasonable alternatives.

3.5 The Amended Core Strategy was also screened to identify likely significant effects on European sites and to, where necessary, consider potential avoidance measures. Habitats Regulation Assessment, including 'Appropriate Assessment' was undertaken and this is discussed further in section 4. An approach was followed which took account of current guidance and best practice with input being sought from Natural England as well as other consultees.

#### **4.0 How the Environmental Report has been taken into account**

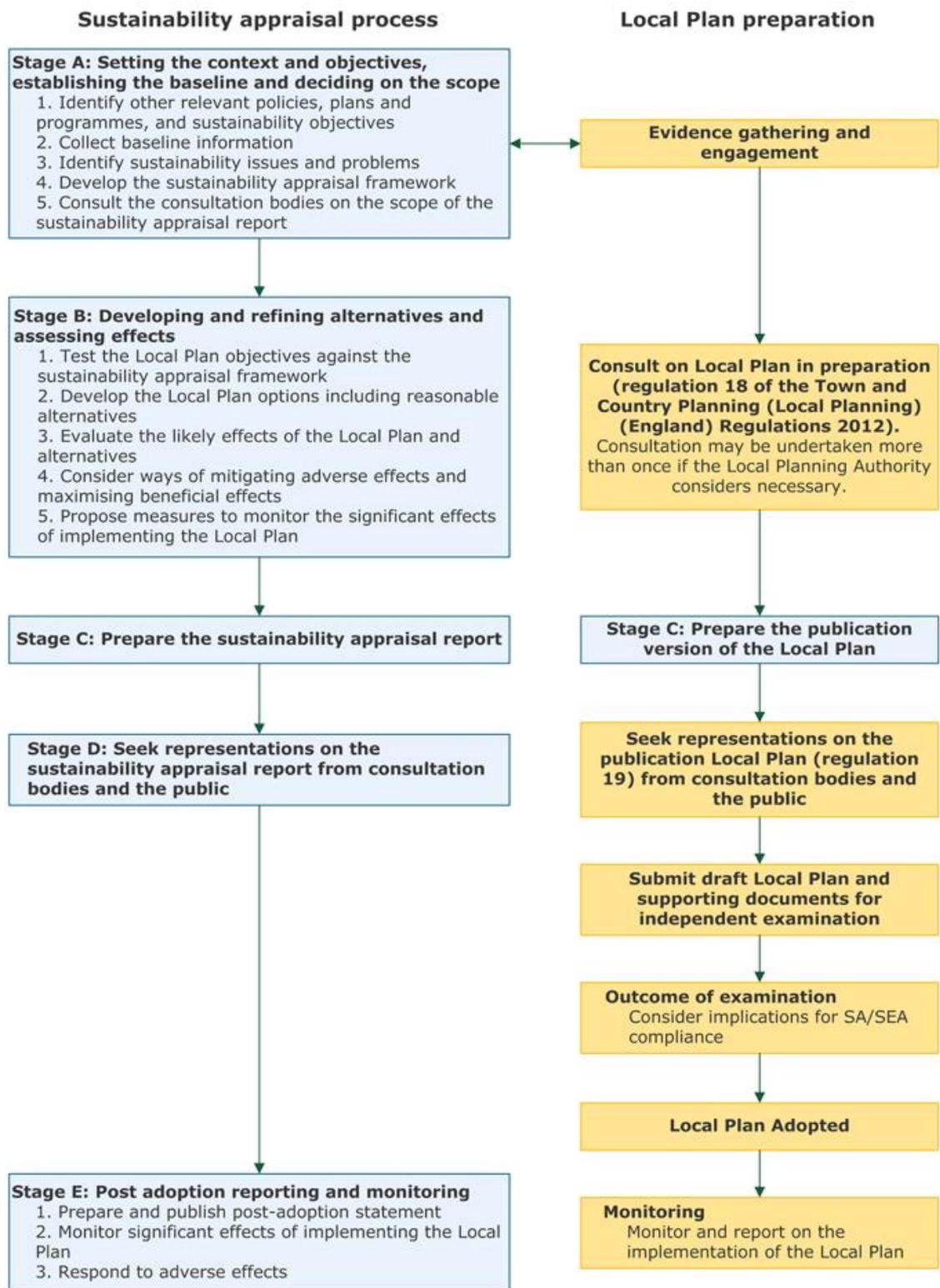
4.1 Each stage of the Sustainability Appraisal and Habitats Regulations Assessment (HRA) put out to consultation, with input sought from statutory environmental bodies and other stakeholders. The information received has informed the production of the Amended Core Strategy. The District Council's Statement for Regulation 22(1) (c) (v) of the Town and Country Planning (Local Planning)(England) Regulations 2012 (September 2017) sets out the participants and methods of consultation and representation. In addition the Statement also provides a summary of responses and how these were taken into account in the production of the Amended Core Strategy. The Statement can be seen on the Council's examination library web page at:

<https://www.newark-sherwooddc.gov.uk/planning/localdevelopmentframeworkldf/amendedcsdspd-examination/examinationlibrary/>

4.2 Recent case law in the form of the 2018 decision by the Court of Justice of the European Union 'People Over Wind and Sweetman v Coillte Teoranta' (C-323/17) has determined that mitigation measures are only permitted as part of an Appropriate Assessment. The HRA Screening Report of January 2017 was re-screened in July 2017. Natural England were consulted on this document and they confirmed that they agreed with the report's findings that there were no likely significant effects on sensitive sites alone or in-combination. However, since the report included mitigation measures to avoid or reduce the likely significant effects of the Plan, an Appropriate Assessment was produced in June 2018 which also concluded that the Plan was not expected to result in likely significant effects.

4.3 The process of SA is iterative, meaning that an assessment of the sustainability and environmental effects was made at each stage of the Amended Core Strategy's development. IIAs, incorporating SAs, were produced to appraise the approach taken and the potential effects identified. District Council officers preparing the Amended Core Strategy took the SA findings and recommendations into account.

4.4 Figure 1, below, shows the relationship between SA and Plan preparation.



**Figure 1: The relationship between SA and Plan preparation** (Source: National Planning Practice Guidance 2015)

## **5.0 How opinions expressed through public consultation (on the SEA and SA process) have been taken into account**

5.1 Appropriate consultation was undertaken at each stage of the production of the SA and the wider IIA in which it is incorporated. The IIA Scoping Report was first put out to consultation on 5 June 2015 and an updated version was put out to consultation on 5 October 2015. A final version was published in December 2015. Consultation responses are set out in Appendix 4 of the final document. Changes made in response to consultation responses can be seen in Appendix 5. The document can be viewed on the Council's Plan Review web page at:

<https://www.newark-sherwooddc.gov.uk/planreview/>

5.2 The IIA of the Publication Core Strategy was put out to consultation on 17 July 2017. Comments were only received from Natural England, who wrote: 'We have reviewed the document and appendices and consider that it follows accepted guidance and methodologies and provides a thorough assessment of the potential environmental impacts of the revised core strategy. We acknowledge that Natural England's interests have been covered in the baseline information.' The District Council therefore proceeded to produce a final version of the IIA, which can be viewed on the Council's Examination Library web page at:

<https://www.newark-sherwooddc.gov.uk/planning/localdevelopmentframeworkldf/amendedcsdpd-examination/examinationlibrary/>

## **6.0 The reasons for choosing the plan or programme as adopted, in light of other reasonable alternatives dealt with**

6.1 Sustainability Appraisal has been a key element in the formulation of the Amended Core Strategy informing each successive stage of the document. Both preferred and alternative options were tested through the IIA, ensuring that all reasonable alternatives were considered. Assessment against the Framework identified the potential significant effects (both positive and negative) of the options. The information provided by the IIA, along with the evidence base and the results of public consultation informed the District Council in selecting its preferred approach. Full details of the appraisal of various options can be seen in the different iterations of the IIA on the Council's Plan Review web page at:

<https://www.newark-sherwooddc.gov.uk/planreview/>

## **7.0 The measures that are taken to monitor the significant environmental effects of the implementation of the Plan**

7.1 The Annual Monitoring Report (AMR) will be the mechanism for monitoring the significant environmental effects of implementing the Amended Core Strategy and the progress being made towards the sustainability and other objectives of the IIA.

The AMR will monitor implementation using the indicators set out in Appendix F of the Amended Core Strategy. Changes to these indicators will identify any unforeseen effects and facilitate a response to adverse effects. AMRs can be seen on the Council's monitoring web page at:

<https://www.newark-sherwooddc.gov.uk/monitoring/>