

# **Exeter City Council Local Development Framework**

## **Post-Adoption Environmental Statement - February 2012**

### **1. Introduction**

1.1 Exeter City Council adopted its Core Strategy Development Plan Document on 21 February 2012, following examination by an independent Planning Inspector.

1.2 During the preparation of the Core Strategy Exeter City Council carried out a parallel process of appraising and consulting on Sustainability Appraisal (SA) and the Habitats Regulations Assessment (HRA). The SA identifies the economic, social and environmental impacts of the Core Strategy and its reasonable alternatives. The HRA was undertaken to assess the potential effects of the proposals included in the Core Strategy on the Natura 2000 network of internationally important wildlife sites.

1.3 In accordance with the Regulations 16 (3) and (4) of the Environmental Assessment of Plans and Programmes Regulations,<sup>1</sup> (which concerns the adoption of plans or programmes), Exeter City Council has produced this statement which sets out:

- how environmental considerations have been integrated into the Core Strategy;
- how the environmental report has been taken into account;
- how consultation responses have been taken into account;
- the reasons for choosing the Core Strategy as adopted in light of other reasonable alternatives;
- the measures that are to be taken to monitor significant environmental effects of the implementation of the Core Strategy.

### **2. How environmental considerations have been integrated into the Core Strategy**

2.1 Sustainability Appraisal (SA), incorporating Strategic Environmental Assessment (SEA), has been an integral part of the preparation of the Core Strategy. An SA Report supports the Core Strategy and demonstrates how environmental considerations were integrated into the preparation and adoption of the Core Strategy. An assessment in accordance with the Habitats Regulations has also been carried out to demonstrate that the policies in the plan do not harm European designated sites for nature conservation.<sup>2</sup>

2.2 The HRA report concluded that the Core Strategy would not have a significant environmental effect on any European sites provided that all the recommended measures set out in the report were adopted and/or implemented. The Inspector for the examination of the Core Strategy stated in her report that wording be added to 'strengthen paragraph 10.44 to ensure that internationally important sites for habitats and protected species are properly protected'

<sup>1</sup> <http://www.legislation.gov.uk/ukxi/2004/1633/contents/made> accessed February 2012.

<sup>2</sup> Appropriate Assessment is required by the Conservation (Natural Habitats, &c.) regulations 1994 (Habitats Regulations) <http://www.legislation.gov.uk/ukxi/1994/2716/contents/made>. It provides an assessment of the potential effects of planning documents on sites of international nature conservation value, collectively known as European sites or Natura sites.

'which would help implementation of avoidance measures & monitoring of effectiveness, meeting the requirements of HR.'<sup>3</sup> These changes were subsequently made.

2.3 SA commenced during the pre-production and evidence gathering stage, and the SA Scoping Report was published in May 2005. The SA/SEA Summary of the assessment carried out on the Preferred Options Core Strategy policies was later published in October 2006. The Final SA Report, incorporating SEA, was published alongside the Pre-Submission Draft Core Strategy in July 2010<sup>4</sup>.

2.4 At each stage in the preparation of the Core Strategy reasonable options have been evaluated against the SA framework to predict and evaluate the effects of the Core Strategy and to inform the choice of options and development of policies as the Core Strategy evolved.

### **3. How the environmental report has been taken into account**

#### **Sustainability Appraisal, Scoping Report, May 2005**

3.1 The Scoping Report for the SA of the Exeter Local Development Framework (LDF) was published in May 2005. It set out the scope of the SA for the Core Strategy, and contained common data and objectives to be used in the SA of the Core Strategy and future Development Plan Documents (DPDs).

3.2 The Scoping Report set out the context of the sustainability appraisal, established the baseline situation, identified key sustainability issues and developed relevant objectives against which to assess the emerging Core Strategy policies (the 'Sustainability Framework').

#### **Core Strategy Issues and Options, November 2005**

3.3 The Issues and Options stage of the Core Strategy set out a range of potential alternative policy options for future development and protection of the environment in the City. The preparation of the Core Strategy Issues and Options Paper was assisted by ongoing sustainability appraisal of the options. Early versions of the options were assessed using the initial sustainability framework which had been developed for the SA and the findings of the assessment later published in the appendices of the Core Strategy Preferred Options SA.

#### **Core Strategy Preferred Options, October 2006**

3.4 The Preferred Options were chosen based on the public consultation received on the Issues and Options paper, consideration of the evidence base and the results of the initial sustainability appraisal. The essence of matters that were appraised and consulted on at the Issues and Options stage were carried forward to the Preferred Options in the form of proposed policies. A summary of the findings of the Issues and Options and Preferred Options assessment were published in the SA alongside the Preferred Options Paper<sup>5</sup>.

#### **Pre-Submission Core Strategy, July 2010**

3.5 After Preferred Options, reports were produced internally as part of the iterative process to help inform and influence the development of the options for the Submission Core Strategy. Early drafts of the policies which would make up the Core Strategy were assessed following

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<sup>3</sup> Report on the Examination of the Exeter Core Strategy DPD, 2011 (Pages 2 and 19) <http://www.exeter.gov.uk/index.aspx?articleid=13455&listid=10103> accessed February 2012.

<sup>4</sup> <http://www.exeter.gov.uk/index.aspx?articleid=13441> CD2, accessed February 2012.

<sup>5</sup> Sustainability Appraisal (Preferred Options) Main Text and Appendices, October 2006 <http://www.exeter.gov.uk/index.aspx?articleid=6092&listid=10103>

the appraisals carried out at the Issues and Options and Preferred Options stages. The purpose of this exercise was to highlight potential sustainability issues raised by the Core Strategy policies at an early stage of development, to ensure later drafts benefited from this appraisal.

3.6 The Final SA report comprises the Preferred Options SA (Part 1) and Submission SA (Part 2). Part 2 is the SA carried out after Preferred Options and appraised each individual policy making recommendations as to how to improve the Core Strategy policies before submission. Part 2 (section 2), has a summary of how the Core Strategy policies were improved due to the SA. The Non-Technical Summary, published alongside the Final SA report, describes the full process of SA, incorporating Strategic Environmental Assessment.

3.7 The SA (Part 2) was published alongside the Proposed Submission Draft Core Strategy for representations during July to September 2010. A number of policy changes were then proposed by the planning inspector who examined the Core Strategy during summer 2011, but she was of the opinion that the policies did not require a re-appraisal. The SA was adopted alongside the Core Strategy by Full Council on 21 February 2012.

#### **4. How consultation responses have been taken into account**

4.1 Sustainability Appraisal reports have been available for comment alongside the Core Strategy during key stages of its preparation. The reports have been available to a range of national, regional and local organisations and local people.

##### **Scoping Report Consultation**

4.2 The Scoping Report was published for consultation in May 2005. Consultation was undertaken with the then statutory consultees of Environment Agency, English Nature, English Heritage and the Countryside Agency and other social and economic consultees that are listed in Appendix 4 of the Preferred Options SA. Comments received led to revisions to the SA framework and the baseline data and helped to inform the methodology and scope for the SA. Appendix 5 of the Preferred Options SA summarises the points raised and actions taken to address the comments.

##### **Preferred Options Consultation**

4.3 The Preferred Options were chosen based on the public consultation received on the Issues and Options paper, consideration of the evidence base and the results of the initial sustainability appraisal. The Preferred Options SA with appendices was then published for consultation alongside the Preferred Options Core Strategy in November 2006.

4.4 In the light of the consultation responses to the Preferred Options and to the SA, the Core Strategy objectives and its draft policies were revised for inclusion in the draft submission Core Strategy.

##### **Pre-Submission Publication for Representations**

4.5 An assessment was then undertaken of the draft Core Strategy policies and used the SA Framework to assess the predicted impact of each policy on each of the sustainability objectives. Findings were presented in matrix format in the Proposed Submission SA Report, July 2010 (Part 2) and were accompanied by a commentary on identified effects. The outcomes of the assessment were published for consultation during the Pre-Submission consultation stage from July 2010 for eight weeks. One of the statutory consultees made reference to the SA. The responses received were then fed back to the Council to inform the Submission Core Strategy (February 2011).

## **5. The reasons for choosing the Core Strategy as adopted, in light of other reasonable alternatives**

- 5.1 The Core Strategy has been prepared to reflect national planning policies and to be in general conformity with the Regional Strategy. This has resulted in a limited range of realistic alternative options that could be considered. The options considered predominantly related to policy options rather than different strategic approaches to development. Following the identification of reasonable policy options in the Issues and Options Paper, the sustainability appraisal process was used to assess the environmental, social and economic effects of the different options. Appendix 8 of the Preferred Options SA (Part 1), October 2006, sets out the assessment of policy options considered against the sustainability objectives.
- 5.2 Following the consultation on the Issues and Options document, the draft policies for the Core Strategy were prepared from the options through consideration of the findings from the SA, the consultation responses and analysis and input from the emerging Regional Spatial Strategy for the South West. The draft policies in the Preferred Options document were refined and taken forward in the Pre-Submission Draft Core Strategy as submitted.
- 5.3 The examination of the Core Strategy provided the opportunity for the inspector to assess whether the plan satisfies the relevant legal requirements and whether it is 'sound', including whether it is 'justified.' To be 'justified' the plan has to be founded on a robust and credible evidence base and be the most appropriate strategy when considered against reasonable alternatives. The Inspector found the Core Strategy, with a limited number of changes, to be sound. In relation to the legal requirements, the Inspector stated that Sustainability Appraisal had been carried out and is adequate. In her report the Inspector states, "None of these materially alters the substance of the plan and its policies, nor undermines the sustainability appraisal and participatory processes undertaken."<sup>6</sup> Therefore none of the changes will make further assessment necessary.

5.2 Para 11 of the Inspectors report states:-

"I am satisfied that the underlying strategy for the plan is credible. It represents the most reasonable option for Exeter, has the support of neighbouring authorities and is in line with sustainability objectives".

## **6. The measures that are to be taken to monitor significant environmental effects of the implementation of the Core Strategy**

- 6.1 Appendix 3 of the Preferred Options SA (Part 1) contains a number of indicators and targets to assess the effectiveness of the policies and whether they are achieving the sustainability objectives. Many of the indicators and targets relate to the potential environmental effects of implementation of the Core Strategy. The Core Strategy sets out a monitoring framework for policies in the document and incorporates many of the indicators and targets identified by Appendix 3 of the SA report.
- 6.2 The main mechanism for monitoring the policies and their environmental effects was through the Annual Monitoring Report (AMR), produced by Exeter City Council each year. However, the Localism Act has removed the requirement to produce an 'annual' report and instead Council's are required to provide up-to-date information on the Council's website when available. Reports will be produced in the future which will indicate where a policy is not working or targets are not being met, and will identify what remedial action may be needed.

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<sup>6</sup> Report on the Examination of the Exeter Core Strategy DPD, 2011 (Page 3), <http://www.exeter.gov.uk/index.aspx?articleid=13455&listid=10103>