



Uttlesford District Council: Uttlesford District Council Pre-Submission Local Plan Review (DRAFT)

1. Introduction

1.1 Overview

Amec Foster Wheeler Environment and Infrastructure UK Ltd (hereafter referred to as Amec Foster Wheeler) has completed a critical friend review of the Uttlesford District Council Pre-Submission Local Plan (LP) Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) Environmental Report (April 2014) and addendum (June 2014).

This review is intended to support the Council in determining a response to the Planning Inspectors letter (dated 19 December 2014) regarding the conclusions of the Examination of the Uttlesford Local Plan (ULP), specifically it seeks to consider the final comment by the Inspector:

“that future SAs need to ensure that the requirements of the Regulations and the principles established by case law are built-into the process transparently from the outset.”

In consequence, the review identifies recommendations and actions to minimise the risk to the Council of non-compliance with the requirements of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, referred to as the SEA Directive when undertaking future SEA/SA work.

1.2 Context

The Uttlesford District Council Pre-Submission Local Plan

The Council is preparing its Local Plan with reference to the National Planning Policy Framework (NPPF) to replace the 2005 Adopted Local Plan for the district. The new ULP will contain the Council planning policies and site allocations which collectively will set out the scale, nature and location of new development in the District up to 2031.

On 4 July 2014 the Local Plan and its supporting documents were submitted for independent examination to the Secretary of State for Communities and Local Government via the Planning Inspectorate. The Local Plan Examination was programmed for 18-21 November and 2-5 December 2014; however, the Inspector halted the Examination on 3 December 2014. He concluded with regard to the soundness of the ULP that:

- ▶ The submitted plan did not provide for a full Planning Policy Guidance compliant objectively assessed housing need and that the proposed annual housing requirement of 523 per annum required an uplift of at least 10% to take into account such matters as affordable housing needs, employment issues and market signals.
- ▶ The justification for the Elsenham strategic allocation was inadequate given the lack of evidence to demonstrate the suitability of the local roads and the capacity of junction 8 on the M11. He questioned whether the Council considered the claims of other candidate locations for growth ('new settlement' or otherwise) to the transparent extent required to constitute 'proportionate evidence'

He concluded that he could not recommend adoption of the Plan unless these matters were addressed. In consequence, the council formally withdrew the Local Plan on 21 January 2015.

The next steps were identified in a report to the Full Council, dated 18 December 2014, 'Uttlesford Local Plan Examination: Inspector's decision and next steps' as:

- ▶ Reassess the 5 year land supply requirement based on an objectively assessed housing need of 580 homes a year from 2011.
- ▶ Complete a new Strategic Housing Market Assessment
- ▶ Review the SEA methodology in the light of recent case law to ensure it is fit for purpose.
- ▶ Seek to ensure that M11 J8 modelling and other technical assessment work is brought to a conclusion to confirm scope for improvement works and capacity that can be created, together with estimated costs. Duty to Cooperate discussions to take place and conclude on this and other relevant transport related matters.
- ▶ Issue a call for sites focusing on a new settlement once the Council's OAN is determined.

A revised Local Development Scheme has also been approved¹ for the production of the revised ULP. The key dates are as follows:

- ▶ Jan – April 2016 Regulation 18 public consultation;
- ▶ May – June 2016 Regulation 19 Local Plan Pre-Submission Consultation;
- ▶ July / Aug 2016 Local Plan Submission;
- ▶ December 2016 – Hearing sessions;
- ▶ March 2017 Local Plan adoption.

The recommendations from this review will support the Council to ensure that it undertakes the future development of the ULP in manner the requirements of the SEA Directive and relevant regulations and the principles established by case law.

Requirement for SA/SEA

Uttlesford District Council as the local planning authority (LPA) is required to carry out a SA of the Local Plan to help guide the selection and development of policies and proposals in terms of their potential social, environmental and economic effects under Section 19(5) of the Planning and Compulsory Act 2004. In undertaking this requirement, LPAs must also incorporate the requirements of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, referred to as the SEA Directive, and its transposing regulations the Environmental Assessment of Plans and Programmes Regulations 2004 (statutory instrument 2004 No. 1633).

The SEA Directive and transposing regulations seek to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing certain plans and programmes. The aim of the Directive is *"to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment."*

At paragraphs 150-151, the National Planning Policy Framework² (NPPF) sets out that local plan are key to delivering sustainable development and that they must be prepared with the objective of contributing to the achievement of sustainable development. Paragraph 165 reiterates the requirement for SA/SEA as it relates to local plan preparation:

¹ Minutes of meeting of Uttlesford Planning Policy Working Group, 26 January 2015

² DCLG (2012), The National Planning Policy Framework

“A sustainability appraisal which meets the requirements of the European Directive on strategic environmental assessment should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.”

The Planning Practice Guidance (paragraph 016) also makes clear that SA plays an important role in demonstrating that a local plan reflects sustainability objectives and has considered reasonable alternatives. In this regard, SA will help to ensure that a local plan is “justified”, a key test of soundness that concerns the extent to which the plan is the most appropriate strategy, when considered against the reasonable alternatives and available and proportionate evidence.

SA/SEA of the Uttlesford District Council Local Plan

To-date, the development of the ULP represents a considerable body of work, undertaken over an eight year period. Outputs from the SA and SEA process during this period as follows:

- ▶ Sustainability Appraisal of the Core Strategy Objectives and the Different Growth Options (2007);
- ▶ Sustainability Appraisal of Preferred Options Document (2007);
- ▶ Sustainability Appraisal of Options for Delivering the Balance of the Housing Requirement (2010);
- ▶ Core Strategy Sustainability Appraisal (2010);
- ▶ Scoping Report October (2011);
- ▶ Sustainability Appraisal of Role of Settlements and Site Allocations DPD (January 2012);
- ▶ Sustainability Appraisal of Proposals for a Draft Local Plan (June 2012);
- ▶ Sustainability Appraisal of Additional Housing Numbers and Sites (November 2013);
- ▶ Sustainability Appraisal of Uttlesford Local Plan Pre-Submission (April 2014);
- ▶ Pre-Submission Local Plan Sustainability Appraisal Addendum (April 2014).

1.3 This Report

This report provides an assessment and commentary on the SA and SEA Environment Report against the requirements of the SEA Directive (with specific emphasis on the Environmental Report) (**Section 2**). It also contains more specific comments on the consideration of reasonable alternatives (**Section 3**) and proposed structure for any subsequent Environmental Report (**Section 4**). A summary of the key findings of the review and associated recommendations are provided for consideration by officers in undertaking the assessment of the revised ULP (**Section 5**).

Whilst the report will provide an assessment against the requirements of the SEA Directive, presented using a checklist from Government guidance³, it does not provide a full technical review of the documentation with detailed consideration of the validity of the identification, characterisation and evaluation of effects. The time available to consider such matters has been insufficient and it is recommended that officers complete a detailed technical review of the SA and SEA Environmental Report before each stage of future publication.

This review is offered in the spirit of a ‘critical friend’ and does not constitute a legal opinion of the soundness of the SA/SEA process to-date in relation to the SEA Directive.

³ Appendix 9 Quality Assurance checklist, A Practical Guide to the Strategic Environmental Assessment Directive, ODPM (2005).



2. Compliance with the SEA Directive

2.1 Approach

Annex I of the SEA Directive sets out the information that is required for inclusion in an environmental report “*in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and geographical scope of the plan or programme, are identified, described and evaluated*”. Environmental reports should therefore comply with Annex I to be compliant with the SEA Directive.

The requirements of the SEA Directive have provided the framework for the review set out in **Section 2.2**. The review relates particularly to the Environmental Report prepared in support of the Pre-Submission ULP as this is the most recent document that has been produced by the Council, in order to determine whether it provides a suitable framework to enable compliance against the requirements of the SEA Directive in future. The review also draws upon previous SEA and SA reports as evidence, although a detailed analysis of these documents has not been undertaken.

2.2 Findings

Table 2.1 presents the requirements of Annex I of the SEA Directive and then summarises where, and to what extent, this is covered in the Environmental Report. A third column highlights whether the information provided is sufficient to meet the SEA Directive requirements. A final column outlines further actions that are required to address any issues identified in any subsequent Environmental Report.

Table 2.1 Coverage of SEA Directive Requirements

SEA Directive requirements	Where and to what extent is this requirement addressed in the Environmental Report?	Is the SEA Directive requirement met?	What actions are required to meet the SEA Directive requirement?
<p>a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes.</p>	<p>Section 1 of the Environmental Report provides a very high level overview of the contents of the ULP, supporting by brief commentary on the earlier iterations of the plan and SA:</p> <ul style="list-style-type: none"> • Uttlesford Core Strategy - Policy Choices and Options for Growth, January 2007 • Uttlesford Core Strategy - Preferred Options Consultation, November 2007 • Uttlesford Core Strategy - Further Consultation on Preferred Options, February 2010 • Public Participation on the Role of Settlements and Site Allocations Development Plan Document, January 2012 • Public Participation on Proposals for a Draft Local Plan, June 2012 • Public Participation on Consultation on Additional Housing Numbers and Sites, November 2013 <p>Within the assessment sections of the Environmental Report, detailed information is provided on the wording of the vision, objectives plan policies and sites; however, as this is spread through sections 3 -16, it is not easily accessible to the reader from the outset.</p> <p>It would, however, be useful for this section to describe the overarching ULP spatial strategy in terms of the quantum of development to be delivered over the plan period and its broad distribution. It would also be preferably if it included the proposed vision, objectives and listed the policies and allocations.</p> <p>The review of plans, programmes and policies is summarised in Section 2 of the Environmental Report. Annex A of the Environmental Report contains a detailed review of plans, programmes and policies at the national, county and local level. This review includes specific consideration of the relationship of these documents with the ULP. It has not been possible within the scope of this review to undertake a detailed analysis of Annex A. However, a brief evaluation indicates that it would be useful to extend the scope of the review of plans and programmes, to consider international and European plans and programmes and it is usual to reference relevant European Directives, for example:</p>	<p>Yes, although the review of plans, programmes and policies should be updated, and consideration given to extending its scope to include international and European plans and programmes, in addition to those already considered at the national, county and local level.</p>	<p>It is recommended that any subsequent Environmental Report provides a high level overview of the spatial strategy set out in the ULP in terms of the quantum and distribution of development which could be accompanied by a map or figure. It would also be preferably if it included the proposed vision, objectives and listed the policies and allocations. Consideration could be given to providing a comprehensive list of ULP policies as an Annex. The text that summarises the evolution of the plan should be retained.</p> <p>The review of plans, programmes and policies could be expanded to include international and European plans and programmes. The national plans and programmes also need to be reviewed, as there are some omissions, including:</p> <ul style="list-style-type: none"> • DCLG (2012) Planning Policy for Traveller Sites • DCLG (2014) National Planning Policy for Waste <p>All plans and programmes will need to be reviewed to ensure that</p> <ul style="list-style-type: none"> • the documents identified are up-to-date; • any gaps are addressed; • any comments received during consultation on previous SEA reports have been taken into account. <p>This information should be presented in an Annex (and Annex A forms a suitable basis) and should also be summarised in the main body of any subsequent Environmental Report. It would be useful for this section to include a summary of the key messages arising from the review.</p>

SEA Directive requirements

Where and to what extent is this requirement addressed in the Environmental Report?

Is the SEA Directive requirement met?

What actions are required to meet the SEA Directive requirement?

- The Cancun Agreement (2011)
- Council Directive 91/271/EEC for Urban Waste-water Treatment
- European Commission (EC) (2011) A Resource-Efficient Europe- Flagship Initiative Under the Europe 2020 Strategy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions (COM 2011/21)
- European Landscape Convention 2000 (became binding March 2007)
- EU Nitrates Directive (91/676/EEC)
- EU Directive on the Landfill of Waste (99/31/EC)
- EU Water Framework Directive (2000/60/EC)
- EU 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive)
- EU Environmental Noise Directive (Directive 2002/49/EC)
- EU Floods Directive 2007/60/EC
- EU Air Quality Directive (2008/50/EC) and previous directives (96/62/EC; 99/30/EC; 2000/69/EC & 2002/3/EC)
- EU Directive on the Conservation of Wild Birds (79/409/EEC)
- EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC) & Subsequent Amendments
- EU Directive on Waste (Directive 75/442/EEC, 2006/12/EC 2008/98/EC as amended)
- EU (2011) EU Biodiversity Strategy to 2020 – towards implementation
- UNFCCC (1997) The Kyoto Protocol to the UNFCCC
- World Commission on Environment and Development (1987) Our Common Future (The Brundtland Report), The World Summit on Sustainable Development (WSSD), Johannesburg, September 2002 - Commitments arising from Johannesburg Summit (2002)

Additional national plans and programmes that could also be considered relevant could include (but not be limited to):

- DCLG (2012) Planning Policy for Traveller Sites

SEA Directive requirements	Where and to what extent is this requirement addressed in the Environmental Report?	Is the SEA Directive requirement met?	What actions are required to meet the SEA Directive requirement?
	<ul style="list-style-type: none"> • DCLG (2014) National Planning Policy for Waste • Department for Food and Rural Affairs (Defra) (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland • Defra (2009) Safeguarding Our Soils: A Strategy for England • Defra (2011) Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services • Defra (2011) Natural Environment White Paper: The Natural Choice: Securing the Value of Nature • Defra (2012) UK post 2010 Biodiversity Framework • Defra (2013) The National Adaptation Programme – Making the Country Resilient to a Changing Climate <p>The plans and programmes could also be presented in accordance with the identified topics for the assessment.</p>		
<p>b) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.</p>	<p>Section 2.3 of the Environmental Report provides an overview of the baseline for the following topics:</p> <ul style="list-style-type: none"> • Economy and Employment • Housing • Population and Society • Health • Transport • Cultural Heritage • Biodiversity and Nature Conservation • Landscapes • Water Environment • Climate • Air and Noise • Waste <p>More detailed information on each of these topics is contained in Annex B of the Environmental Report.</p> <p>The topics contained in the Environmental Report cover the SEA Directive Annex I (f) topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage and landscape. It is noted that whilst soil is not an explicit heading, information is contained under the landscape section of the report. The additional</p>	<p>Yes, although the baseline analysis will need to be reviewed and updated as appropriate. Further information could be provided in respect of trend based data and the evolution of baseline without the ULP.</p>	<p>Section 2.3 and Annex B provide a comprehensive range of data presented in a variety of formats (text, tables, figures); however, any subsequent Environmental Report will need to include updates datasets, where available.</p> <p>Consideration should be given to improving the treatment of the evolution of the baseline without the implementation of the ULP by drawing on projections and targets (taken from those relevant plans and programmes reviewed), to supplement the information contained in Table 4, of section 2.5.</p>

SEA Directive requirements

Where and to what extent is this requirement addressed in the Environmental Report?

Is the SEA Directive requirement met?

What actions are required to meet the SEA Directive requirement?

topics included in the Environmental Report (Economy and Employment, Housing, Society, Transport and Waste) address the subjects that could be included under the heading of material assets, and also provide the opportunity to include subjects that would be expected to be part of the wider interpretation of sustainability.

The extent of baseline information provided in Annex A is comprehensive and appears to include recent data (from ONS etc), although it has not been possible to consider this in detail. The information is presented in a variety of formats (text, tables, figures). Section 2.3 summarises the information for the topics and the level of detail provided appears appropriate.

The likely evolution of the baseline without implementation of the plan or programme is contained as part of Table 4 and this reflects a qualitative judgement on possible changes. Given the availability of projections for some subjects (population and climate change for example) and targets (so for conditions of European sites), it is possible to supplement the existing commentary with some quantitative information

c) The environmental characteristics of areas likely to be significantly affected.

Section 2.3 and Annex A of the Environmental Report presents the baseline context which includes the identification of specific designated sites/areas. However, there is no explicit consideration of the areas likely to be most significantly affected by the ULP. For example, this could include details of those factors affecting the Sites of Special Scientific Interest (so an expansion of the information contained in Figure 25 'Condition of Sites of Special Scientific Interest' of Annex B) or a summary of the environmental characteristics of the differing settlements within District.

Partially. The environmental characteristics of those areas likely to be significantly affected by the ULP are implicitly rather than explicitly described.

Any subsequent Environmental Report should include specific consideration of the environmental characteristics of those areas of the District likely to be significantly affected by the ULP (for example, towns and larger villages, designated sites etc).

Consideration should be given to improving the information presented with regard to the national or local factors that are currently affecting designated conservation sites (which could include direct habitat loss from new development, habitat damage and species disturbance from recreational activities, trampling and cat predation, as well as noticeable urban edge effects).

d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular

Table 4 within section 2.5 provides a summary of issues and constraints for each topic considered within the Environmental Report. There are no international or European designated sites within Uttlesford. Nationally designated sites include 2 National Nature Reserves (NNRs)

Yes.

Any subsequent Environmental Report should build on the information contained in Table 4 of the previous report and update it as appropriate to reflect any additional issues arising from the revised baseline analysis. In particular, this should include commentary relating to the condition of designated

SEA Directive requirements	Where and to what extent is this requirement addressed in the Environmental Report?	Is the SEA Directive requirement met?	What actions are required to meet the SEA Directive requirement?
<p>environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.</p>	<p>and 12 Sites of Special Scientific Interest (SSSIs) which are referenced in Table 4.</p>		<p>sites and any particular issues/threats to their status/integrity.</p>
<p>e) The environmental protection objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.</p>	<p>As noted above, Annex A of the Environmental Report contains a detailed review of plans, programmes and policies at the national, county and local level. This review includes specific consideration of the objectives relevant to the ULP. It has not been possible within the scope of this review to undertake a detailed analysis of Annex A. However, a brief evaluation indicates that it would be useful to extend the scope of the review of plans and programmes, to consider international and European plans and programmes and it is usual to reference relevant European Directives. Additional national plans have also been identified.</p> <p>The review of plans, programmes and policies is signposted in Section 2.3 of the Environmental Report.</p>	<p>Yes, although the review of plans, programmes and policies should be updated.</p>	<p>The review of plans, programmes and policies could be expanded to include international and European plans and programmes. The national plans and programmes also need to be reviewed, as there are some omissions, including:</p> <ul style="list-style-type: none"> • DCLG (2012) Planning Policy for Traveller Sites • DCLG (2014) National Planning Policy for Waste <p>All plans and programmes will need to be reviewed to ensure that:</p> <ul style="list-style-type: none"> • the documents identified are up-to-date; • any gaps are addressed; • any comments received during consultation on previous SEA reports have been taken into account. • relevant objectives are identified and summarised, along with the relationship with the ULP. <p>Any subsequent Environmental Report should contain a summary of those plans, programmes and policies reviewed in Annex A. It would be useful for this section to include a summary of the key messages arising from the review and how they have been reflected within the SEA (for example how they have informed the assessment objectives).</p>
<p>f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors. (These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary,</p>	<p>Section 3-16 of the Environmental Report presents the findings of the assessment of the high level spatial options/alternatives, objectives, policies (including alternative approaches where these have been identified) and site allocations.</p> <p>The assessment uses the assessment framework set out in Table 4, section 2.5 of the Environmental Report. Annex C contains further detail on the sustainability assessment framework. The assessment framework comprises of 12 sustainability objectives with an extensive suite of further appraisal questions for each topic. Separate questions are used for the completion of the site appraisal in recognition of the need to tailor the objectives to reflect specific quantifiable aspects of the sites (such as proximity to designated nature</p>	<p>Partially. Whilst the LDP vision, objectives, policies and site allocations have been assessed, there is considered to be an overall lack of assessment of the cumulative effects of the ULP both alone and in combination with other plans and programmes.</p>	<p>A number of recommendations have been identified based on the review of sections 3 - 16 of the Environmental Report. These are listed below:</p> <ul style="list-style-type: none"> • Any subsequent assessments should be based on the assessment framework (reflected any updated information) comprising of 12 assessment objectives, which has been modified to reflect application to proposed policy and sites. • Any subsequent assessment of the ULP vision and objectives should be based on an approach similar to that of the compatibility assessment contained in the 2014 Environmental Report.

SEA Directive requirements

Where and to what extent is this requirement addressed in the Environmental Report?

Is the SEA Directive requirement met?

What actions are required to meet the SEA Directive requirement?

positive and negative effects).

conservation and cultural heritage sites, location with a flood risk zone 2 or 3 or proximity to public transport and community facilities). The use of assessment objectives and questions is consistent with Government Guidance and is standard practice. The development of the assessment framework was undertaken as part of the 2011 scoping and was subject to consultation with the three statutory consultation bodies (the Environment Agency, Natural England and English Heritage) and a wider set of organisations listed on the Statement of Community Involvement (July 2006), Sustainable Uttlesford, Essex County Council and Saffron Walden and District Friends of the Earth. All information was made available on Uttlesford District Council's website for wider consultation. Given the range of topics covered by the assessment objectives, their relationship to the baseline information collected and that views of a broad range of consultees sought, it is considered an appropriate basis to identify the likely significant effects of the ULP.

The ULP objectives have been tested for their compatibility with the SEA objectives. Alternatives, policies and site allocations, meanwhile, have been awarded scores ranging from 'Major Positive' impacts to 'Major Negative' impacts.

Specific comments in relation to the assessment of each Plan component are set out below.

Options/Alternatives to the Plan

The assessment of ULP strategic options is contained within the Environmental Report; however, it is not readily summarised early in the report and is instead located in a number of different places within the report:

- Section 5.1 (page 72 - 75) presents Strategic Policy SP3 - Employment Strategy which contains the provision of employment land allocation and the strategic sites where it will be allocated. This section includes the assessment of the preferred option and the reasonable alternatives.
- Section 7.1 (page 92 - 96) presents the housing requirement (10,460 new homes between 2011 and 2031), the justification, the assessment of the preferred options along with reasonable alternatives
- Section 7.3 (pages 98-102) presents Strategic Policy

- Any subsequent Environmental Report should contain a section describing the evolution of the plan, with respect to the principal questions (how much housing is required, how much employment land is required, where will it be distributed and over what time frame). Whilst it is appreciated that the Council has the opportunity to start afresh following the withdrawal of the ULP, there will be a need over subsequent iterations of the ULP to present the evolving thinking, and the influence of the evidence base, consultation and the SA on the revisions.
- The Council should review the merit of presenting alternatives for all policy options contained in the ULP. This is exceptionally precautionous interpretation of the SEA Directive requirement to consider reasonable alternatives to the ULP, leads to an assessment of excessive length and obscures the detailed consideration of the key alternatives regarding the quantum of growth and the approaches to its distribution.
- The commentary provided on the assessment of likely significant effects of policies and sites in any future revised Environmental Report is considered objectively to ensure that all significant effects are identified, described and evaluated. The use of uncertainty should be avoided as there appear to be instances (such as Elsenham) where the use of uncertainty understates the nature and scale of adverse effects.
- With specific regard to the assessment of site allocations, the approach to present the cumulative effects on identified settlements is continued.
- An approach should be developed to address the cumulative effects of the ULP as a whole and in combination with other plans and programmes.

SEA Directive requirements

Where and to what extent is this requirement addressed in the Environmental Report?

Is the SEA Directive requirement met?

What actions are required to meet the SEA Directive requirement?

SP7 - Housing Strategy which contains the preferred spatial strategy to distribute the housing requirement. This section includes the assessment of the preferred option and the reasonable alternatives. Section 7.3.5 presents an assessment of the alternatives to the preferred distribution of housing (which includes a new settlement at Elsenham):

- Alternative 1: Distribute development between the District's three main settlements of Great Dunmow, Saffron Walden and Stansted Mountfitchet
- Alternative 2: Distributing the development across a hierarchy of settlements, from the towns to the villages.
- Alternative 3: Distributing development across a similar hierarchy of developments as proposed under Alternative 2 i.e. across a hierarchy of settlements, from towns to the villages but with significantly less development at Takeley/Little Canfield and a significant increase in development as the start of a new settlement.

The Environmental Report does not contain alternative possible site locations to the new settlement at Elsenham.

- Section 15.2.27 (page 235 – 236) Elsenham Policy 1 - Land North East of Elsenham presents the policy regarding the strategic site north east of Elsenham, allocated for 2100 homes. Whilst alternatives to the development around the village of Elsenham are provided, the justification of a new settlement approach and in particular one sited at such a location is absent.

The fragmented approach to presenting the strategic options and in particular the limited commentary on the strategic alternatives to a new settlement option, and one located at Elsenham hinders an understanding of the key choices made by the Council.

The scoring of alternatives itself may also be questioned in some instances. For example, regarding the 3 alternatives to the preferred Housing Strategy, against the 12 objectives, the scoring is assessed as the same, with the only discriminator being a long term benefit identified for alternative 3 against objectives 10 (promote the efficient use

SEA Directive requirements

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of resources and the necessary provision of infrastructure) and objectives 11 (improve education and skills). These scores are the same as the preferred option. It is perhaps surprising that there was not greater differentiation between the options and that the concerns subsequently raised against the development of the Elsenham new settlement by the Inspector (unsuitability of the local roads and the capacity of junction 8 on the M11) did not score negatively (against either objectives 6, 7 and/or 11). It would be expected that all proposals for growth would have some adverse effects on some of the sustainability objectives (for example, resource use and emissions to air in both the short term during construction and in the longer term once development is occupied/operational). It could also be expected that those options which seek to disperse development would be more likely to have adverse effects on the sustainability objectives relating to biodiversity and landscape (due to, for example, increased pressure on greenfield sites for development).

The reasons for the selection of the new settlement however reflect earlier decisions taken in the SA/SEA process. However, the Environmental Report does not present the outcomes of previous assessments and the alternatives considered at that stage, so the reader is unclear on the reasons for the selection of the proposed strategic options (so the quantum and distribution of development across the district and the selection of the new settlement option at Elsenham in particular) and the influence of earlier assessment on the evolution of the ULP. To some extent this is understandable as the evolution of the scale and location of development is complex and reflects a number of changing factors; however, its absence, does make it problematic to understand the context for the assessment.

However, whilst understanding the evolution of the ULP and how it addresses the key questions of how much growth, and its location and distribution over the plan period is problematic, the Environmental Report does contain information on individual policies. Specifically, in considering the detail of individual policy assessments, the Environmental Report does provide, on occasion, instances of previous alternatives considered and where amendment has been made to policy wording at a previous stage.

SEA Directive requirements

Where and to what extent is this requirement addressed in the Environmental Report?

Is the SEA Directive requirement met?

What actions are required to meet the SEA Directive requirement?

Vision and Objectives

Section 3 presents a compatibility assessment of the ULP vision and objectives with the SEA objectives. The approach, presentation and level of assessment accords with standard practice.

Policies

Sections 4 – 14 and section 16 present the assessment of the proposed policies that are contained in the ULP. For each policy considered the following information is presented:

- Justification
- Impact on SA objectives
- Progress through the SA process
- Alternatives considered
- Impact on indicators
- Proposed mitigation measures

The use of standard headings does ensure consistency in the approach; however, for some policies, the alternatives proposed are not particularly meaningful (particularly where the policies are designed for environmental benefit) and take the concept of assessing the reasonable alternatives to the plan to a level of potentially unnecessarily detail that obscures the key issues that need to be considered in the assessment.

It has not been possible within the scope of this review to consider in detail the validity of the assessment of individual ULP policies against the SEA objectives.

Site Allocations

Section 15 presents the assessment of the proposed site allocations that are contained in the ULP. For each site considered the following information is presented:

- Impact on SA objectives
- Secondary, Cumulative and Synergistic Effects
- Alternatives Considered
- Recommendations / Mitigation Measures

The consideration of secondary, cumulative and synergistic effects presents the potential effects of all sites proceeding

SEA Directive requirements

Where and to what extent is this requirement addressed in the Environmental Report?

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What actions are required to meet the SEA Directive requirement?

on specific settlements (such as Saffron Walden, Great Dunmow and Stansted Mountfitchet). This is a very useful approach to determine the extent to which the development on the new sites can be accommodated or whether the effects will be detrimental on the receiving community unless additional infrastructure or further mitigation measures are provided. With regard to the Elsenham site, this is where the effects on accessibility and access would be expected to be identified; however, whilst a number of negative effects were described, the potential effects on accessibility are described as uncertain:

'There will however be a number of cumulative negative impacts. The scale of development on greenfield land will see negative landscape implications (including those in the Countryside Protection Zone), which will need sensitive mitigation and design features for individual developments. There will also be a significant cumulative loss of high quality agricultural land. There will additionally be cumulative negative impacts associated with the disruption of existing historic field boundaries.

There will be negative impacts on the capacity of nearby schools resulting from the site allocations in Elsenham. It is recommended that the cumulative impacts of development on the capacity of schools are carefully addressed with the relevant service providers, and new education provision is delivered so as to not to have any significant shortfalls in local capacity. There will also be negative cumulative impacts on the capacity of healthcare facilities.

A number of uncertain impacts are associated with safe highways access and accessibility by sustainable transport means, walking and cycling.'

Cumulative Effects

As noted, the cumulative effects of the site allocations on settlements have been considered; however the cumulative effects of the plan overall (so the combined effects of all ULP policies) has not been considered. Similarly the cumulative effects of the plan in conjunction with other plans or programmes (so other local planning authority local plans) have not been considered. This is a gap that needs to be addressed.

g) The measures envisaged to

Sections 4 – 14 and 16 present the assessment of the

Yes. The Environmental Following revision to the assessment of ULP objectives,

SEA Directive requirements	Where and to what extent is this requirement addressed in the Environmental Report?	Is the SEA Directive requirement met?	What actions are required to meet the SEA Directive requirement?
<p>prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.</p>	<p>proposed policies that are contained in the ULP. For each policy considered, there is a heading to permit the identification of mitigation measures, which usually takes the form of minor amendments to policy wording and specific policy criteria. For a number of policies (such as SP7 – Housing Strategy however, it is surprising that there is no reference to other policies within the plan, that would ensure that any adverse effects of the development of the housing requirement were minimised).</p> <p>Section 15 presents the assessment of the proposed site allocations that are contained in the ULP. For each collection of site policies (based around a settlement) a range of recommendations and mitigation measures are identified. This can include direction towards working with relevant service providers, for example of the provision of additional capacity at local schools. These also anticipate that further work will be required which will be resolved by individual masterplanning.</p>	<p>Report does identify specific mitigation measures.</p>	<p>options, policies and site allocations, officers should review the assessment in order to identify opportunities to both mitigate adverse effects and enhance positive effects associated with the Plan’s implementation. It would be expected that the site assessments in particular will identify a range of measures to address any potentially adverse effects. In identifying the mitigation measures, officers should ensure the use of cross referencing where appropriate. The measures identified should be clearly set out in the Environmental Report together with how they have been addressed in the Plan (where appropriate).</p>
<p>h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.</p>	<p>Alternatives As set out above, the Environmental Report includes an assessment of alternatives of policies and sites. To this extent it is comprehensive; however, the approach is problematic in attempting to identify the likely significant effects of the reasonable alternatives to the key questions facing the ULP regarding how much growth, its location and distribution over the plan period.</p> <p>A detailed review of the Environmental Report indicates that this is contained in a number of disparate sections:</p> <ul style="list-style-type: none"> Section 5.1 (page 72 - 75) presents Strategic Policy SP3 - Employment Strategy Section 7.1 (page 92 - 96) presents the housing requirement (10,460 new homes between 2011 and 2031) Section 7.3 (pages 98-102) presents Strategic Policy SP7 - Housing Strategy Section 15.2.27 (page 235 – 236) Elsenham Policy 1 - Land North East of Elsenham <p>However, in regard of one key policy (Elsenham Policy 1 and the commitment to a new settlement), the Environmental</p>	<p>No. The Environmental Report does not adequately set out the reasons for the selection of the alternatives dealt with, for the rejection of reasonable alternatives and for the selection of the preferred options.</p> <p>The Environmental Report does not describe the difficulties encountered during the assessment.</p>	<p>Alternatives Officers should consider the inclusion of a specific chapter with any subsequent Environmental Report that outlines the reasons for the selection of the alternative dealt with, for the rejection of reasonable alternatives and for the selection of the preferred options. These alternatives should include differing scales of growth for both housing and employment, differing spatial distributions and differing configurations of proposed sites.</p>

SEA Directive requirements	Where and to what extent is this requirement addressed in the Environmental Report?	Is the SEA Directive requirement met?	What actions are required to meet the SEA Directive requirement?
	<p>Report is deficient, as it does not contain alternative possible site locations to the new settlement at Elsenham.</p> <p>It is understood that the reasons for the selection of the new settlement reflect earlier decisions taken in the SA/SEA process. However, the Environmental Report does not present the outcomes of previous assessments and the alternatives considered at that stage (with the exception of 2007), so the reader is unclear on the reasons for the selection of the preferred option.</p> <p>The justification section (7.3.1) for the Housing Strategy states:</p> <p><i>'The NPPF specifies that Local Plans should set out the strategic priorities for the area and include strategic policies that can deliver the homes and jobs needed. They should specify the housing need and then identify a supply of sites or broad locations for growth that will deliver the housing strategy across the plan period.'</i></p> <p>This does not provide sufficient justification for the selection of the new settlement approach to the allocation of development.</p> <p>The Environmental Report describes at section 2.4 data limitations as a difficulty encountered during the assessment.</p>		
i) A description of measures envisaged concerning monitoring in accordance with Art. 10.	Annex C of the Environmental Report sets out a monitoring framework.	Yes. The Environmental Report includes a monitoring framework.	Officers should review any outcomes of future assessments of likely significant effects of a revised ULP to ensure proposed monitoring measures are appropriate.
j) A non-technical summary of the information provided under the above headings.	A non-technical summary has been provided.	Yes. A non-technical summary is provided.	Officers should prepare a non-technical summary of the information provided in the Environmental Report.

3. Reasonable Alternatives

3.1 The Requirement to Consider Reasonable Alternatives

Consideration of reasonable alternatives to a plan is a fundamental aspect of planning policy development and the requirements of the SEA Directive (Article 5(1)) formalise this, requiring that the choices and resulting decisions be made explicit through their inclusion in the resulting environmental report. The consideration of reasonable alternatives has been the focus of recent legal challenges to local plans in England, based on the inadequate implementation of the SEA Directive. This is the case law that the Inspector referred to in his concluding remarks on the SA. These legal challenges include:

- ▶ **Save Historic Newmarket v Forest Heath District Council [2011] EWHC 606 (Admin) (25 March 2011)** case in which it was found that reasonable alternatives to a 1,200 home Sustainable Urban Extension in northeast Newmarket had not been adequately assessed and the reasons why it was rejected had not be sufficiently explained in the SA Report. The High Court ruling, in quashing parts of the Forest Heath Core Strategy, stated:

“40. It was not possible for the consultees to know from it what were the reasons for rejecting any alternatives to the urban development where it was proposed or to know why the increase in the residential development made no difference. The previous reports did not properly give the necessary explanations and reasons and in any event were not sufficiently summarised nor were the relevant passages identified in the final report. There was thus a failure to comply with the requirements of the Directive and so relief must be given to the claimants.”

- ▶ **Heard v Broadland District Council et al. [2012] EWHC 344 (Admin) (24 February 2012)** case in which it was found that the reasons for the selection of the reasonable alternatives and the preferred option had not been presented in the final SA Report (or in the Joint Core Strategy), nor was there any evidence presented in the final SA Report that the options had been examined to the same degree and in the same depth. The judge held at [71]:

“the aim of the directive, which may affect which alternatives it is reasonable to select, is more obviously met by, and it is best interpreted as requiring, an equal examination of the alternatives which it is reasonable to select for examination alongside whatever, even at the outset, may be the preferred option. It is part of the purpose of this process to test whether what may start out as preferred should still end up as preferred after a fair and public analysis of what the authority regards as reasonable alternatives. I do not see that such an equal appraisal has been accorded to the alternatives referred to in the SA of September 2009. If that is because only one option had been selected, it rather highlights the need for and absence here of reasons for the selection of no alternatives as reasonable. Of course, an SA does not have to have a preferred option; it can emerge as the conclusion of the SEA process in which a number of options are considered, with an outline of the reasons for their selection being provided. But that is not the process adopted here.”

- ▶ **Cogent Land LLP v Rochford District Council [2012] EWHC 2542 (Admin); (21 September 2012)** case in which the claimant submitted that documents produced in 2008 for the SA/SEA did not set out adequately the reasons for preferring the selected locations over alternatives that had been rejected, so that the public was not allowed the early and effective engagement that was required. Rochford's preparatory work on the Core Strategy had been carried out before the decision in *Save Historic Newmarket v. Forest Heath District Council*. On consideration of Forest Heath (which was handed down after the Examination in Public into the Rochford Strategy had closed) Rochford asked the Inspector to defer her report to allow the Council to prepare an Addendum SEA Report which addressed the conclusions in Forest Heath. The Inspector agreed. The Addendum (which supported the policies in the Core Strategy) was made public and all parties were given the opportunity to respond to it, but the Inspector declined to reopen the EiP. When the Inspector concluded that the Core Strategy was sound and the document was subsequently adopted, the Claimant challenged and Bellway Homes (which had an interest in land in West Rochford) was joined as an interested party. The judge was inclined

to accept that submission but he held that a July 2011 Addendum cured any defects in the earlier stages of the process and that the Inspector's decision not to reopen the EiP was fair

- ▶ **Chalfont St Peter PC v Chiltern DC [2013] EWHC 1877 (Admin)** case in which the claimant attempted to quash part of Core Strategy. The ruling applied *Heard v Broadland* in respect of the adequacy of consideration of alternatives and found that alternatives which were obvious non-starters did not need to be considered.
- ▶ **Ashdown Forest Economic Development LLP v Secretary of State for Communities and Local Government [2014] EWHC 406 (Admin) (21 February 2014)** case in which the claimants sought to extend similar arguments to those pursued in *Save Historic Newmarket* and *Heard*, to an extent that was considered inapplicable and impermissible by the court. The judge ruled that:

*“97 A plan-making authority has an obligation under the SEA Directive to conduct an equal examination of alternatives which it regards as reasonable alternatives to its preferred option (interpreting the Directive in a purposive way, as indicated by the Commission in its guidance: see *Heard v Broadland DC* at [71]). The court will be alert to scrutinise its choices regarding reasonable alternatives to ensure that it is not seeking to avoid that obligation by saying that there are no reasonable alternatives or by improperly limiting the range of such alternatives which is identified. However, the Directive does not require the authority to embark on an artificial exercise of selecting as putative “reasonable alternatives,” for full strategic assessment alongside its preferred option, alternatives which can clearly be seen, at an earlier stage of the iterative process in the course of working up a strategic plan and for good planning reasons, as not in reality being viable candidates for adoption.”*

In consequence, in regard to the identification, development, appraisal and discarding of reasonable alternatives and the selection and justification of a preferred option, the SA/SEA Reports must provide a sufficiently detailed narrative around the reasons for the selection of key options (whether the preferred quantum of growth, distribution of growth or the allocation of sites) at each stage of the process. Whilst it is for the LPA to determine what constitutes a reasonable alternative, once identified, each must be treated in the same manner as the preferred option (and so appraised to the same degree using the same methodology).

3.2 Consideration of Reasonable Alternatives in the SA/SEA of the LP

The revised Local Development Scheme indicates that the Council has determined to start afresh with the ULP. In consequence, whilst there has been a considerable body of evidence, assessment and information gathered, the Council does not need necessarily to be constrained by what has been considered already.

With regard to the reasonable alternatives to the ULP, for the regulation 18 iteration of the plan, these should address the following key questions:

- ▶ How much housing is required?
- ▶ How much employment land is required?
- ▶ What is the preferred spatial distribution of the growth?
- ▶ Given the sites available, what is the preferred configuration of sites that best meets the preferred spatial distribution?

In determining the quantum of growth, reference should be made to the evidence base (so ONS SNPP figures for the district, with further allowance made for projected migration and household formation rates over the period covered by the ULP). As noted in the Inspectors letter to the Council, consideration is also need for an upward adjustment for market signals and for an adequate provision of affordable homes. This should lead to the generation of a number of differing options, depending on the variables selected. Before being subject to assessment, each should be considered to determine whether each is a reasonable alternative. So for example, an option that is based on net zero migration for example would not be considered realistic or reasonable.

When considering the preferred distribution of growth, there is considerable previous consideration of options to draw upon. For example, section 2.3 of the Sustainability Appraisal of the Core Strategy Objectives and the Different Growth Options (Jan 2007) identified 12 options:

- ▶ 1a: Concentrate all development in Saffron Walden.
- ▶ 1b: Concentrate all development in Great Dunmow:
 - ▶ (i) 1 large greenfield urban extension;
 - ▶ (ii) Larger number of smaller greenfield sites;
 - ▶ (iii) Reuse of employment designated sites within Greater Dunmow for housing.
- ▶ 1c: Concentrate Development in Stansted Mountfitchet – greenfield extension.
- ▶ 1d: Concentrate Development in the largest centres of Great Dunmow, Saffron Walden and Stansted – split growth between settlements, with growth located on greenfield sites.
- ▶ 1e: Concentrate Development in a single new settlement (consistent with EoE Plan – unspecified location):
 - ▶ (i) East of Stebbing;
 - ▶ (ii) Between Elsenham and Henham;
 - ▶ (iii) Within the vicinity of Stansted airport.
- ▶ 2a: Distribute development over hierarchy of settlements from villages with services and facilities through key rural centres to largest settlements.
- ▶ 2b: Distribute Development along the West Anglia Rail Corridor.
- ▶ 2c(i): Distribute all the development in villages around the District.
- ▶ 2c(ii): Distribute all the development in villages around the District - proportionate to facilities.
- ▶ 2d: Distribute development along the A120 corridor and in Dunmow.

The Pre-Submission Local Plan Sustainability Appraisal and Strategic Environmental Assessment Addendum (June 2014) attempted to address concerns over alternatives to the new settlement at Elsenham by considering specific sites:

- ▶ Easton Park to the north west of Great Dunmow (LtEAS1);
- ▶ Boxted Wood and Andrewsfield, two separate proposals to the east of Stebbing (STE1 and STE2);
- ▶ Chelmer Mead, between Great Dunmow and Felsted (LtDUN1); and
- ▶ Land to the north east of Great Chesterford (GTCHES7).

However, the underlying concern not adequately addressed by the Addendum relates to whether a new settlement is the most appropriate and sustainable way to accommodate the development that the district needs.

Given the Inspectors comments regarding Elsenham, and that the justification for the Elsenham strategic allocation was inadequate and that the Council needed to consider the claims of other candidate locations for growth ('new settlement' or otherwise), it is recommended that further attention is given to options perhaps similar to those from 2007 above, as a starting point, to examine the competing merits of a new spatial strategy.

Once this has been subject to consultation and SA/SEA, and revised to reflect any changes in the evidence base and submissions, consideration could then be given to specific site allocations and the preferred configuration of sites best able to deliver the preferred spatial strategy (which then may or may not include a new settlement). This would then be presented in the Regulation 19 Local Plan Pre-Submission

Consultation ULP. It is recommended that both a preferred configuration of strategic sites and reasonable alternatives is considered and the effects assessed to demonstrate adequate consideration of reasonable alternatives.

All options should be considered against the sustainability objectives, and the effects recorded in the same manner and the detail presented to the same degree. This will be important to demonstrate that the effects of the plan and reasonable alternatives to it have been considered to the same degree and depth (and so addresses the requirements of *Heard v Broadland District Council et al.* [2012] EWHC 344).

4. Reporting Approach and Structure

4.1 Contents of any Subsequent Environmental Report

The Council may wish to consider how any subsequent Environmental Report is structured. Adopting a logical structure that meets the requirements of the SEA Directive will help to avoid unnecessary consultation responses, lead to the publication of a more accessible document and help ensure compliance. Whilst there is much to be commended in the current Environmental Report, there are a number of key points, where the structure does not support the ready demonstration of compliance against the SEA Directive requirements.

In this context, a possible alternative structure for an Environmental Report is set out below:

- ▶ **Non-Technical Summary.**
- ▶ **Section 1: Introduction** (including the context, description of the ULP, an overview of the SEA process, summary of other assessments (including how they have informed the SEA process) and report structure)).
- ▶ **Section 2: Evolution of the ULP** (describing the development of the ULP to-date, the options considered and how the evidence base and other considerations have informed the Plan. This should include an explicit statement of the reasons for rejecting alternative options and selecting preferred options (for the scale of growth, its broad distribution and the location of sites). [NB, this section becomes increasingly important at the Regulation 19 Stage, as it demonstrates the evolution of the key issues for the ULP, the extent to which the evidence base, assessment and consultation responses have informed its development and the Council's rationale for its choices].
- ▶ **Section 3: Review of Plans and Programmes** (summarising the updated reviews of plans and programmes).
- ▶ **Section 4: Baseline Context** (including the updated baseline analysis and summary of sustainability issues).
- ▶ **Section 5: Methodology Framework** (providing an overview of the evolution of the SEA Framework and its application across the assessment of the different plan components and any technical difficulties encountered during the assessment process (including uncertainties and assumptions)).
- ▶ **Section 6: Assessment** (presenting the findings of the assessment of the vision, objectives, plan options, policies and site allocations including cumulative effects and a summary of mitigation measures).
- ▶ **Section 7: Next Steps** (including consultation arrangements and monitoring proposals).
- ▶ **Appendices** (including a record of consultation responses, site assessments, quality assurance checklist and review of plans and programmes).

5. Conclusions and Recommendations

The Council is now committing to completing a ULP, in accordance with the revised Local Development Scheme. As part of this process, it has an opportunity to revisit and revise its approach to undertaking

SEA/SA, to ensure that it complies with the requirements of the SEA Directive and Regulations and the principles established by case law. To aid compliance, when completing the next Environmental Report, the Council are recommended to consider the following matters:

- ▶ The assessment process:
 - ▶ Any subsequent assessment of the ULP vision and objectives should be based on an approach similar to that of the compatibility assessment contained in the 2014 Environmental Report.
 - ▶ Any subsequent assessments should be based on the assessment framework (reflected any updated information) comprising of 12 assessment objectives, which has been modified to reflect application to proposed policy and sites.
 - ▶ The Council should review the merit of assessing alternatives for all policy options contained in the ULP. It is recommended that effort is focused on the key choices for the ULP regarding the scale and location of growth with assessment of:
 - Options for growth reflecting the comments from the Inspector, the updated evidence base and guidance dealing with market signals and affordable homes.
 - Options for the location of growth including a number of broad choices, such as
 - Concentration of development on principal settlements (Saffron Walden, Great Dunmow and Stansted Mountfitchet through combination of infill and greenfield extensions).
 - Concentrate Development in a single new settlement (to be located east of Stebbing, between Elsenham and Henham or within the vicinity of Stansted airport).
 - Distribute development over hierarchy of settlements.
 - Distribute Development along a transport corridor (either the West Anglia Rail Corridor or the A120).
 - Distribute all the development in villages around the District proportionate to facilities.
 - ▶ An approach should be developed to address the cumulative effects of the ULP as a whole and in combination with other plans and programmes.
 - ▶ Following the assessment of the ULP, officers should review the assessment in order to identify opportunities to both mitigate adverse effects and enhance positive effects associated with the Plan's implementation.
 - ▶ Officers should review any outcomes of future assessments of likely significant effects of a revised ULP to ensure proposed monitoring measures are appropriate.
- ▶ The reporting process:
 - ▶ Information is presented that provides a high level overview of the spatial strategy set out in the ULP in terms of the quantum and distribution of development which could be accompanied by a map or figure. It would also be preferably if it included the proposed vision, objectives and listed the policies and allocations. Consideration could be given to providing a comprehensive list of ULP policies as an Annex. The text that summarises the evolution of the plan should be retained.
 - ▶ Completing a new section which presents information on the evolution of the ULP (describing the development of the ULP to-date, the options considered and how the evidence base and other considerations have informed the Plan. This should include an explicit statement of the reasons for rejecting alternative options and selecting preferred options (for the scale of growth, its broad distribution and the location of sites).

- ▶ Including a section and Annex that presents a review of plans, programmes and policies building and supplementing the information already collated and summarised. All plans and programmes will need to be reviewed to ensure that
 - The documents identified are up-to-date;
 - Any gaps are addressed;
 - Any comments received during consultation on previous SEA reports have been taken into account.

It would be useful for this section to include a summary of the key messages arising from the review.


- ▶ Including a section that presents the baseline, building on the comprehensive range of data already collated and analysed. Up to date datasets should be used, where available. Consideration should be given to improving the treatment of the evolution of the baseline without the implementation of the ULP by drawing on projections and targets (taken from those relevant plans and programmes reviewed), to supplement the information already presented. This section should include specific consideration of the environmental characteristics of those areas of the District likely to be significantly affected by the ULP (for example, towns and larger villages, designated sites etc).
- ▶ The commentary provided on the assessment of likely significant effects of policies and sites in any future revised Environmental Report is considered objectively to ensure that all significant effects are identified, described and evaluated.
- ▶ With specific regard to the assessment of site allocations, the approach to present the cumulative effects on identified settlements is continued.
- ▶ Officers should prepare a non-technical summary of the information provided in the Environmental Report.

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