

Tonbridge and Malling Local Development Framework Core Strategy (September 2007)

Sustainability Appraisal/Strategic Environmental Assessment Adoption Statement

Introduction

Tonbridge and Malling Borough Council adopted the Local Development Framework (LDF) Core Strategy (CS) Development Plan Document (DPD) on 25 September 2007.

This statement has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (16) (3) and (4), which require a statement to be produced on adoption of a plan or programme, to detail:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report has been taken into account;
3. How opinions expressed through public consultation have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with;
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Planning Policy Statement 12 widens these considerations from environmental, to broader sustainability issues, so that this statement provides information on the wider sustainability appraisal process.

This statement examines each of these points in turn.

1. How sustainability considerations have been integrated into the plan

Policy Context

The Core Strategy (CS) was prepared in the context of national and regional planning guidance and policies, which themselves are underpinned by the principles of sustainability and the need to pursue sustainable patterns and forms of development. The CS - incorporating the changes recommended in the Inspector's binding Report - is in conformity with national and regional policy.

Initially, prior to the preparation of the CS, baseline data for the Borough was gathered to identify the key environmental, social and economic issues facing the area.

Vision, Aims and Objectives

From this exercise, and taking into account the national, regional and local planning context, a Vision and a set of Aims and Objectives were defined and have been adopted. The Vision for Tonbridge and Malling takes on-board sustainability considerations, in stating: *'...To make it a place where its natural beauty, biodiversity, historic environment and public places are valued, protected or enhanced; where the built environment is sustainable, properly served and of high quality; and housing, economic and social needs of all sectors of society are met and reconciled with any environmental conflicts...'*.

Aim 1 specifically addresses the need for the development strategy to be pursued through the CS to be guided by the principles of sustainability. It states: *'...To ensure that new development is achieved in accordance with the principles of sustainability...'*. This aim will be achieved by the following objectives:

- (a) Making sure that sufficient deliverable land is identified and available for development to meet regional and locally identified needs for housing, employment and other key land uses;
- (b) Making sure that development makes the most efficient use of land and is designed to minimise energy consumption, optimise use of renewable energy resources, and use sustainable construction techniques;
- (c) Concentrating development on previously developed and other damaged land within built-up areas before considering development of 'fresh land' in the countryside;
- (d) Minimising the need to travel and providing the opportunity for trips to be made by a choice of modes of transport;
- (e) Conserving, and wherever possible enhancing, the natural and historic environment and local diversity;
- (f) Meeting the diverse social needs of local communities, including gypsies and travellers, and ensuring fair and equal access to housing and services for all sectors of society.

Policies

In pursuit of the adopted Vision, Aims and supporting Objectives, two high-level policies (CP1 'Sustainable Development' and CP2 'Sustainable Transport') have been adopted that seek to ensure that new development in the Borough will be as sustainable as possible. Together they provide the context for the policies that follow and for the determination of planning applications where appropriate.

Development Strategy

The Core Strategy identifies a development strategy that is in accordance with the principles of sustainability, as set out in policies CP1 and CP2. This involves concentrating development at the urban areas of Tonbridge, the Medway Gap and the part of the Medway Towns urban area that lies within Tonbridge and Malling Borough (Walderslade), where there is the greatest potential for re-use of previously-developed land and other land damaged by former uses.

The one exception to this Strategy is the identification of land to the south of Borough Green at Isles Quarry West as a strategic housing location. However, this broad allocation has been made to meet identified housing needs in the more remote part of the Malling rural area. Furthermore, this is considered to be the most sustainable option for addressing the shortfall in the provision of affordable housing in this part of the Borough. Borough Green is an established Rural Service Centre with a good range of shops, services, community facilities, reasonable public transport and a primary and secondary school. The alternative option is to disperse housing provision to the various remote villages in the Malling rural area. The policy of concentrating development of rural affordable housing at the Rural Service Centre of Borough Green is the more sustainable option most notably because it reduces the need to travel and ensures that sufficient affordable housing is built.

Monitoring

The Core Strategy includes a set of Indicators to measure the performance of the policies within it. These indicators will enable the environmental, economic and social impacts of the CS to be monitored on a regular basis and will determine the need for the DPD to be reviewed.

2. How the Sustainability Appraisal has been taken into account

The Sustainability Appraisal (SA) has contributed to the development of the Core Strategy by providing an independent assessment of the sustainability of the Council's proposed options and policies as they were developed. The SA process includes the Strategic Environmental Assessment (SEA). The SA/SEA clearly demonstrates that sustainability considerations have been incorporated into the development of the Core Strategy from the initial stages and provides a formal statement and audit trail of the assessment.

The SA/SEA was prepared in support of the Core Strategy, Tonbridge Central Area Action Plan and the Development Land Allocations Development Plan Documents (DPDs) and was a key output of the plan preparation process. It reflected and supported the draft plan on which formal public consultation and participation was carried out.

The process began with the preparation and consultation on a draft Scoping Report in April 2005. This Report documented the initial findings from the context review and baseline data gathering. In the light of this exercise, the Report also identified the key sustainability issues facing the Borough as well as a draft set of sustainability objectives. A set of baseline indicators was also developed. These indicators were developed to enable the identification of sustainability problems in the Borough that the LDF may need to respond to. The Borough Council consulted the four statutory SEA consultation bodies, at that time - the Countryside Agency, English Heritage, English Nature and the Environment Agency. In addition, Kent County Council, neighbouring local authorities, the Strategic Health Authority and the South East England Development Agency (SEEDA) were also consulted.

To inform the decision-making on the preferred options, an Interim SA/SEA Report was produced in June 2005. This contained the final set of SA objectives against which the draft Core Strategy Objectives and the various strategic spatial policy options were appraised. The appraisal of the Core Strategy objectives against the SA objectives was undertaken to determine their compatibility with each other. The significant effects of the high-level spatial options were analysed against the SA objectives, which provide information on their economic, social and environmental impact. Analysis included the scale and nature of the impact, cumulative, secondary and synergistic impacts. The appraisal matrices are in Appendix 1 of the Interim SA Report for the Core Strategy. The conclusion was that, in general, the options performed well in sustainability terms and the choices between them were unlikely to generate significant sustainability effects.

The Final SA Report was published for public comment alongside the Preferred Options Report (October 2005). This Report assessed the potential economic, social and environmental implications of the draft policies and proposals contained in the Core Strategy and the other two DPDs being prepared as part of the first tranche of the LDF. The assessment found that the Preferred Options performed well in sustainability terms. The conclusion was that the options are generally geared towards accommodating new housing development as sustainably as possible; providing for affordable housing needs (particularly in rural areas); reducing the need to travel; and protecting the Borough's countryside. The assessment matrices are set out in appendix 1 to the Final SA Report.

Having analysed the impact of the proposed DPDs, where a possible impact was identified mitigation measures were indicated to improve the sustainability of the DPDs. The measures envisaged to prevent, reduce and as fully as possible offset any significant effects on the environment, as well as social and economic objectives are set out in Appendix 2 of the Final SA Report. Some changes were made to the draft policies in the Core Strategy as a result of the SA/SEA of the preferred options. These are documented, along with the Council's response to the other recommendations in the Final SA Report, in the Sustainability Appraisal of Significant Changes Report (June 2006). A number of the proposed mitigation measures identified in the Final SA Report relate to issues that are to be addressed in the Managing Development and the Environment DPD that will be prepared as part of the second tranche of the LDF.

As well as responding to the proposed mitigation measures, the Sustainability Appraisal of Significant Changes Report also appraised the changes made by the Council in response to consultation on the Preferred Options Report. It concluded that the changes are either beneficial or neutral in their effect.

The changes identified by the Inspector in the binding report were appraised early in the Core Strategy preparation process and the outcomes are set out in the Interim SA Report. There was therefore no need to amend the Final SA Report or the Sustainability Appraisal of Significant Changes Report.

3. How consultations entered into have been taken into account

Key Environmental Bodies

The Strategic Environmental Assessment Directive requires that authorities referred to in Article 6(3) shall be consulted when deciding on the scope and level of detail of the information which must be included in the Environmental Report. In England the key bodies are the Environment Agency, English Heritage and Natural England (formerly English Nature and the Countryside Agency).

Consultation with these key bodies was initially undertaken in April and May 2005 on the draft SA Scoping Report. The consultation enabled these bodies to comment on the appropriateness and completeness of the sustainability issues, contextual review, baseline information and the SA objectives. The consultation led to some changes to the Scoping Report that was finally published in July 2005. These changes included additions to the context review, for example the inclusion of the Medway Catchment Flood Management Plan and the UK Sustainable Development Strategy, and additional key sustainable issues that the LDF should seek to address, for example the protection and enhancement of biodiversity and the promotion of the sustainable use of water.

Public Participation

The Strategic Environmental Assessment Directive requires early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying Environmental Report before the adoption of the plan or programme or its submission to the legislative procedure. The Council undertook a programme of public participation on the Core Strategy and its SA/SEA prior to submission to the Secretary of State. Full details can be found in the Statement of Compliance available to view on the Council's website on the Submission Stage page.

Consultation under Regulation 25

Statutory Bodies Consultation

The Council carried out an initial consultation with statutory bodies on all matters which would be covered by the DPDs, as required under the new system of plan making, to ensure that it was aware, at an early stage of any programmes and plans that would affect the LDF. The pre-production stage consultation was undertaken at two separate times: 1) in the autumn of 2003, and 2) during the summer of 2005. In the Autumn of 2003, the Council consulted the statutory bodies on the Issues Report, under the transitional arrangements. This took the form of a publication that was also made available to the wider public for comment. In addition to this, during the summer of 2005, the Council consulted the specific and general consultation bodies under Regulation 25. This consultation took the form of requesting comments from these bodies on an early draft of the Preferred Options Report on the Core Strategy, inviting dialogue on the main issues affecting the Borough and how the Council could respond. The responses received were taken into account in preparing the final version of the Preferred Options Report. The responses to the consultation with the statutory bodies at these two stages are set out in

the 'Response to Issues Report Consultation' (November 2004) and the 'Response to Consultations - Under Regulations 25 & 26' (September 2006) documents.

Issues Report

In late autumn 2003, the Council's Issues Report was available for public consultation during an eight week period. This stage provided the public the opportunity to participate on the issues before the decision was made on the preferred approach.

Over 500 comments were received from over 131 individuals, agencies and organisations setting out a range of general and area specific issues. This stage pre-dated the Regulations requiring the preparation of an SA/SEA Report so no SA/SEA documentation was made available.

Consultation under Regulation 26

The Preferred Options Core Strategy DPD together with the SA/SEA Final Report allowed the public to consider the Council's reasons for selecting their preferred options in the context of the SA/SEA process. The SA/SEA Final Report appraised the set of preferred options and assessed the cumulative and synergistic effects. The Report also included a set of mitigation measures to prevent, reduce and as fully possible offset any significant adverse effects on the environment of implementing the preferred options. The formal consultation took place for six weeks from 7 October to 18 November 2005. In response to consultation, representations were received from 105 individuals, organisations and agencies raising a total of 480 issues under Regulation 27(2). Of these, 4 were submitted on the Core Strategy SA/SEA Final Report. The separate publication entitled 'Response to Consultations under Regulations 25 & 26' contains a complete summary of every representation that was received and the Council's response. The Council's response to the proposed mitigation measures identified in the Final SA Report was set out in the 'Sustainability Appraisal of Significant Changes Report' (June 2006). This Report also included appraisals of the changes made by the Council in response to consultation on the Preferred Options Report. It concluded that the changes are either beneficial or neutral in their effect.

Submission

The Core Strategy DPD, accompanied by the Sustainability Appraisal of Significant Changes Report, was submitted on 1 September 2006. The Council received 365 representations from 73 individuals or organisations either supporting or questioning the soundness of the document which were considered by an independent Inspector through the Examination process.

4. Reasons for choosing the document as adopted in light of other reasonable alternatives

The Environmental Assessment of Plans and Programmes Regulations 2004 (12) (2) requires environmental reports to examine reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme. This statement is required to set out the reasons for choosing the plan or programme as adopted in the light of the other reasonable alternatives dealt with.

PPS12 highlights the fact that regard should be had to the chain of conformity to avoid duplication of assessment. The current Regional Spatial Strategy is RPG9. This is, however, under review and a draft of the new RSS, known as the South East Plan was submitted to the Secretary of State at the end of March 2006. The expectation is that the South East Plan will be approved at about the same time, or soon after, as the first tranche of Local Development Documents in the LDF are finally adopted. The Core Strategy was therefore prepared in general conformity with the evolving South East Plan. The South East Plan aims to concentrate development at the existing built-up areas, identifying growth points at Kent Thames Gateway and Ashford. However, the Borough lies outside the area where the growth needs are to be met. The Borough is, therefore, to be subject to a general policy of restraint aimed principally at meeting locally generated needs.

Nearly three-quarters of the Borough is covered by the Metropolitan Green Belt. Neither the RSS nor the Kent and Medway Structure Plan identify any strategic cases for a change to Green Belt boundaries in Kent. The part of the Borough outside of the Green Belt includes the important Strategic Gap separating the Medway Gap from Maidstone and the Medway Towns, extensive parts of the Kent Downs Area of Outstanding Natural Beauty, areas of the 'best and most versatile' agricultural land and areas of national and local nature conservation interest. Furthermore, much of the lower lying land in the Medway Valley lies within the floodplain of the River Medway and is subject to varying degrees of flooding constraint. These constraints therefore limited the number of available reasonable alternatives, as they would be contrary to the RSS. The submitted South East Plan was subject to Sustainability Appraisal and the plan preparation process involved assessment of a number of spatial options.

The sustainability objectives identified as part of the SA/SEA process were used to test a number of alternative strategy spatial options. The results of this assessment work were documented in an Interim SA/SEA Report which was produced in June 2005. This document helped inform the decision-making on the preferred options for the Core Strategy. The conclusion was that, in general, the options performed well in sustainability terms and the choices between them were unlikely to generate significant sustainability effects. The Final SA Report was published for public comment alongside the Preferred Options Report. It assessed the potential economic, social and environmental implications of the draft policies and proposals it contained. The assessment found that the Preferred Options performed well in sustainability terms. The Sustainability Appraisal of Significant Changes Report appraised the changes made by the Council in response to consultation on the Preferred Options Report. It concluded that the changes are either beneficial or neutral in their effect. The process outlined above is fully documented in the Interim SA Report, the Final SA Report and the Sustainability Appraisal of Significant Changes Report.

5. Monitoring

The full set of monitoring indicators is set out in Appendix 3 of the Final SA Report for the Core Strategy. These indicators will be monitored annually and the results will be included in the Annual Monitoring Report on the Local Development Framework. The results will feed into subsequent reviews of the Core Strategy and will also help to ensure that any unforeseen effects can be acted upon quickly. The current and future Tonbridge and Malling Borough Annual Monitoring Reports are and will be available to view on the Council's website.