

NEWPORT LOCAL DEVELOPMENT PLAN 2011 – 2026

ADOPTION STATEMENT

January 2015



BACKGROUND

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

This Adoption Statement addresses the requirements of both the Town & Country Planning (Local Development Plans) (Wales) Regulations 2005 and the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

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SECTION 1 – TOWN & COUNTRY PLANNING (LOCAL DEVELOPMENT PLANS) (WALES) REGULATIONS 2005

1.1 STATEMENT OF ADOPTION

- 1.1.1 The Newport Local Development Plan (LDP) was adopted on 27th January 2015. The LDP became operative on this date.
- 1.1.2 The LDP replaces the adopted Unitary Development Plan as the land use development plan for Newport City Council. The LDP sets strategy and the policy framework for new development and land use within Newport until 2026.
- 1.1.3 Copies of the adopted LDP are available for public inspection free of charge at the following locations:
- Newport Civic Centre
 - Information Station
 - All Newport Public Libraries
- 1.1.4 The adopted LDP is also available on the Council's website at: www.newport.gov.uk/planningpolicy.
- 1.1.5 In addition to the adopted LDP the following documents have also been made available:
- Newport LDP Adoption Statement (this document)
 - The Sustainability Appraisal of the Newport LDP
 - The Habitat Regulations Assessment of the Newport LDP
 - Report on the Examination into the Newport LDP (The Inspector's Report)
- 1.1.6 A charge will be made for hardcopies of the LDP and related documents.
- 1.1.7 A person aggrieved by the Local Development Plan who desires to question its validity on the ground that it is not within the powers conferred by Part 6 of the Planning and Compulsory Purchase Act (2004) or that any requirement of that Act or any regulation made under it has not be complied with in relation to the adoption of the LDP, may, within six weeks from the date specified on the adoption notice make an application to the High Court under Section 113 of the 2004 Act.

SECTION 2 – ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES (WALES) REGULATIONS 2004

2.1 SUSTAINABILITY APPRAISAL STATEMENT OF ADOPTION

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

2.2 LOCAL DEVELOPMENT PLAN

2.2.1 Local Development Plans are a requirement of the Planning and Compulsory Purchase Act (2004). The LDP provides the development strategy and land use planning policy framework for the LDP Area up until 2026. Sustainable Development principles underpin land use planning and the LDP provides a policy framework that integrates social, environmental and economic issues that are relevant to people who live in, work in and visit Newport.

2.3 SUSTAINABILITY APPRAISAL & STRATEGIC ENVIRONMENTAL ASSESSMENT

2.3.1 Planning legislation requires that Development Plans are subject to a Sustainability Appraisal (SA). This is a systematic process that is designed to evaluate the predicted social, economic and environmental effects of development planning. European and UK legislation requires that LDPs are also subject to a Strategic Environmental Assessment (SEA), a process that considers the effects of the Plan on the environment. Where significant adverse effects are predicted, the SEA aims to identify the means to avoid or mitigate such effects. Government guidance advises that these two processes should be carried out together and requires Plans to be subject to SA incorporating SEA through a single appraisal process. (The term referred to as 'SA' throughout this report incorporates the SEA).

2.3.2 The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (16(4)) requires that when a Plan, that is subject to an environmental assessment, is adopted a Statement is made available to accompany the adopted Plan or Programme. The Regulations require this Adoption Statement to provide the following information:

- How environmental considerations have been integrated into the LDP;
- How the Environmental Report (referred to as the SAR in this report) has been taken into account;
- How opinions expressed in relation to the consultations on the Plan and the Environmental Report (SAR) has been taken into account;
- How the results of any transboundary consultation have been taken into account;

- The reasons for choosing the Plan as adopted, in light of the other reasonable alternatives dealt with, and;
- The measures that are to be taken to monitor the significant environmental effects of the implementation of the Plan.

2.3.3 Each of these requirements, set out in paragraph 2.3.2 above, is dealt with in turn below. It should be noted that a substantial amount of information relating to these matters is contained within existing documents such as the Sustainability Appraisal Report (SAR) (January 2015), Consultation Report (Submitted Document for Examination (SD) 12-33) and the Report on the Inspector's Report. In accordance with paragraph 8.5.2 of the WG LDP Manual (June 2006), rather than duplicate this material, appropriate cross references are made to relevant documents within this statement.

2.3.4 The LDP was also subject to a Habitat Regulations Assessment (HRA) (December 2014) which was carried out in parallel to the SA and LDP process. The HRA report assessed the impacts of LDP in combination with the effects of other plans and projects on European ecological sites. The findings of the HRA were fed into and informed both the SA and LDP. The HRA accompanied the Revised Deposit LDP and adopted LDP and was reported separately.

2.4 HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED INTO THE LOCAL DEVELOPMENT PLAN

2.4.1 The SA process has been integral to the development of the LDP to ensure that the LDP promotes Sustainable Development through integration of the key social, economic and environmental objectives in the development of the LDP policies and proposals. A SA has been undertaken, by external consultant Atkins, to inform all stages of the plan preparation. The SA has included several stages and this is reported in the Sustainability Appraisal Report (SAR). The SAR demonstrates the feedback process between Plan making and the SA, allowing sustainability considerations to be integrated into the LDP during preparation.

2.4.2 The phases of the SA process, the relevant LDP stage and timescales are set out in the table below:

Table 1: A comparison of SA & LDP preparation stages and consultation

SA Stage	LDP Stage	Consultation/ Timescale
Scoping Report	<ul style="list-style-type: none"> • Evidence Base Development • Call for Candidate Site 	October 2008
SA Assessment of LDP Stages	<ul style="list-style-type: none"> • Vision & Objectives • Candidate Sites • Strategic Options 	December 2008 March/May 2009
Initial SAR	<ul style="list-style-type: none"> • Preferred Strategy 	Jan/March 2010
<i>SAR for Deposit LDP¹</i>	<ul style="list-style-type: none"> • <i>Deposit LDP</i> 	<i>April 2012</i>
SAR for Revised Deposit LDP	<ul style="list-style-type: none"> • Revised Deposit LDP 	June 2013
SAR for Submission	<ul style="list-style-type: none"> • Submission 	December 2013

¹ The Deposit LDP was replaced by the Revised Deposit LDP following the outcome of the consultation response to the Deposit LDP.

SA Assessment of Matters Arising Changes – June 14	<ul style="list-style-type: none"> • Examination 	June 2014
SA Assessment of Matters Arising Changes – Sep to Nov 2014	<ul style="list-style-type: none"> • Examination 	December 2014
SA of Inspector's Changes	<ul style="list-style-type: none"> • Inspector's Report 	December 2014
Final SAR of LDP	<ul style="list-style-type: none"> • Adoption 	January 2015

2.4.3 The process was iterative and at each stage the LDP work was assessed against the SA objectives and only then was the LDP stage made available for consultation. Post consultation on both the Initial SAR and LDP the responses were dealt with and feedback into the development plan preparation process.

2.5 HOW THE ENVIRONMENTAL REPORT HAS BEEN TAKEN INTO ACCOUNT

2.5.1 The SA and the LDP were developed in parallel, with each stage of the SA informing and influencing the preparation and progression of the LDP. This iterative approach is outlined in more detail below:

SA Scoping (October 2008)

2.5.2 The first stage of the SA was to produce a Scoping Report to provide a review of existing baseline information, considered relevant to inform the emerging LDP. Scoping work was undertaken in 2008 and was consulted upon and revised to help ensure that the SA covered the key sustainability issues that are relevant to Newport within the context of the LDP. In preparation for the assessment of the detailed policies of the LDP, this information was updated to reflect the most up to date baseline and policies, plans and programmes.

2.5.3 The scoping process resulted in a drafted SA Framework made up of objectives addressing the three sustainability factors of social, economic and environmental dimensions. Following the Scoping Report, consultation with the environmental consultation bodies and the wider public, the Framework was updated and used for the assessment of those stages up until the publication of the Initial SAR. Following the consultation on the Initial SAR the SA Framework was revised and this is the Framework against which the LDP was then assessed.

Vision and Objectives (December 2008)

2.5.4 Following on from the Scoping Report stage the LDP Team prepared the Vision and Objectives for the Plan. As part of this process the Objectives and Vision were assessed against the SA Framework. This assessment resulted in a number of recommended alterations to the Vision and Objectives that appear in the Plan. The findings and recommendations of the appraisal were published and can be viewed in Chapter 7 of the SAR.

SA Strategic Options (May 2009)

2.5.5 An assessment of the Strategic Options for the spatial strategy developed for the LDP was conducted in early 2009. Potential sustainability effects for each of the options were assessed in terms of progress towards achieving the relevant SA objectives. This allowed the most and least sustainable aspects of each policy to be identified and promote their sustainable effects and reduce their likely unsustainable effects. The results of the assessment were

published and are set out in Chapter 8 of the SAR. This work informed the selection of the options taken forward into the Preferred Strategy stage.

SA Candidate Sites Assessment (May 2009)

- 2.5.6 The call for Candidate Sites was undertaken in March to May 2009 and this was followed by an assessment of the resultant sites against the SA Framework. The Newport Sites Assessment Methodology led to the agglomeration of a number of strategic sites which were assessed from a strategic perspective to reduce repetition in the assessment due to their similar characteristics and locations. Full details of the sites assessment can be viewed in Appendix D of the SAR.

SA Preferred Strategy (March 2010)

- 2.5.6 A high level assessment of the LDP Preferred Strategy was undertaken in January 2010 to identify the compatibility of the policies and strategy present in the Preferred Strategy with the SA Objectives. The findings and recommendations of the appraisal were published and can be found in Chapter 9 of the SAR. The outcome at this stage was the production of the LDP Preferred Strategy and the Initial SAR. Both documents were made available for consultation and were updated in light of the consultation response.

SA Deposit LDP (April 2012)

- 2.5.7 A Deposit LDP was produced and made available for consultation in April 2012. A Sustainability Appraisal Report (SAR) was made available with the Deposit LDP. This assessment formed the statutory assessment of the Deposit Plan policies and as published in the SAR (Feb 2012). The assessment was broken down into 'evaluation' of effects and 'mitigation' of effects. The prediction of effects was undertaken for each proposals being implemented through the LDP against the SA Framework. This was all updated following consultation.

- 2.5.8 Following the consultation, at the Deposit LDP stage, the Council began to move forward to Focussed Changes, however, a decision was made to progress to a Revised Deposit Plan. This was to ensure the full extent of desired changes could be made following consultation. The main change was the replacement of Gypsy and Traveller sites from the Deposit allocations with new sites.

Assessment of additional Gypsy and Traveller Sites

- 2.5.9 In December 2012, NCC reviewed its Gypsy and Traveller site allocations. 11 new potential sites were shortlisted. These sites were subject to a SA in order to determining their performance in sustainability terms. The full assessment can be viewed in Appendix J of the SAR. This information then informed the identification of the final sites within the Revised Deposit LDP.

SA Revised Deposit LDP (June 2013)

- 2.5.10 The Revised Deposit LDP assessment formed an update to the Feb 2012 assessment of the Deposit LDP (See above).

SA LDP Examination/Matters Arising (June 2014)

- 2.5.11 During the examination of the LDP a number of Matters Arising Changes (MAC) were proposed. Before consultation with the environmental consultation bodies and the wider public, each proposed amendment was appraised and a Sustainability Appraisal Note (June 2014) was produced

(Appendix L of the SAR). A Habitat Regulations Assessment Note was also produced (Appendix G of the HRA) to inform this stage.

SA LDP Examination/Matters Arising (Sept to Nov 2014)

- 2.5.12 Following the consultation of the Matters Arising Changes in June 2014, two further public hearing sessions were arranged to discuss additional housing sites and the Gypsy/Traveller transit site provision. These sessions resulted in additional Matters Arising Changes. These additional Changes have been appraised and a Habitat Regulations Assessment has also been carried out.

SA of the Inspector's Report and Adopted LDP (Dec 2014 to Jan 2015)

- 2.5.13 The Inspector made 4 binding changes to the LDP and he concluded that these, alongside the schedule of Matters Arising Changes *provides an appropriate basis for the planning of the area to 2026*. The Inspector's Changes were appraised and a Habitat Regulations Assessment was also undertaken. These concluded that none of the changes proposed affected the overall SA or HRA of the LDP. The SA Assessment of the Inspector's Changes is set out in Appendix M of the final SAR (January 2015). The Habitat Regulations Assessment screening of the Inspector's Changes is set out in Appendix H of the final HRA (January 2015).
- 2.5.14 The Sustainability Appraisal (SA) has been an iterative process with the development of the LDP. The whole appraisal including each stage of assessment is set out within the Sustainability Appraisal Report dated January 2015.

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

- 2.6.1 Consultation is a key component of the SA process and consultation for the SA of the LDP has been undertaken in accordance with Article 6 of the EU Directive 2001/42/EC; the Environmental Assessment of Plans and Programmes Regulations (Wales) (2004) and the Council's Community Involvement Scheme (CIS) (SD10).
- 2.6.2 For SA there is a statutory requirement to consult authorities with environmental responsibilities which in Wales is Natural Resources Wales (NRW), (formerly the Countryside Council for Wales and the Environment Agency Wales) and Cadw. In addition, consultation should be undertaken with the public and a wider range of interested stakeholders.
- 2.6.3 Consultation with the statutory environmental bodies, stakeholders and the general public was undertaken at the key stages of the SA process in parallel with the key LDP consultation stages. The detail of the consultation undertaken is set out in Table 1, in paragraph 2.4.2 above. The consultation responses and the actions taken are reported within the SAR (January 2015).

2.7 HOW THE RESULTS OF ANY TRANSBOUNDARY CONSULTATION HAVE BEEN TAKEN INTO ACCOUNT

- 2.7.1 No transboundary issues were raised through the SA process.

- 2.7.2 The Habitat Regulations Assessment of the LDP considered the effects of the LDP beyond the Newport administrative boundary in respect of the impacts on European sites of nature conservation importance. It was concluded that with the mitigation measures incorporated into the Plan, the implementation of the LDP would not result in a likely significant effect on any European Site either alone or in combination with other plans and projects.

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

- 2.8.1 As part of the development of the LDP the Council considered a range of spatial and policy options.
- 2.8.2 In order to achieve the Vision and Objectives of the LDP the Council considered a variety of strategic options in 2009. These options were appraised against the SA framework and consulted upon; the findings informed the Council's preferred strategy for growth. The SA of the Preferred Strategy and Deposit LDP provide more detail on the consideration of options and the SA recommendations.
- 2.8.3 The environmental report (SAR), 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 are identified, described and evaluated. The SAR outlines the reasons for selecting the alternatives dealt with and this detail is set out in 8 as well as Appendices C & D of the SAR.

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

- 2.9.1 The Town and Country Planning (LDP) (Wales) Regulations (2005), Regulation 37 requires the Council to prepare, and subsequently submit to Welsh Government, an Annual Monitoring Report (AMR). The AMR is required to monitor delivery of the LDP and specific items as well as identifying policies that are not being implemented. Chapter 12 of the LDP sets out the monitoring basis for the LDP. In addition to this Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations (Wales) (2004) requires that the Council must monitor the most significant environmental effects of the implementation of the Plan. This is covered in the SA monitoring framework which is set out in Chapter 13 of the SAR.
- 2.9.2 Monitoring the Plan and its significant environmental effects are statutory requirements that will be undertaken through the AMR. The first AMR will be submitted by 31st October 2016.

2.10 FURTHER INFORMATION

- 2.10.1 If you have any queries or would like further information please contact a member of the Planning Policy Team on (01633) 656656 or by emailing ldp.consultation@newport.gov.uk