

**Three Rivers District Council**

Three Rivers Site Allocations Local  
Development Document

Sustainability Appraisal Adoption Statement  
December 2014

**Halcrow Group Limited, a CH2MHill Company,**  
*in association with*  
**Centre for Sustainability at TRL Limited**

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# **Three Rivers District Council**

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# Three Rivers District Council

## Three Rivers Site Allocations LDD Sustainability Appraisal Adoption Statement December 2014

### Contents Amendment Record

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Signed	Verified
01	00	Site Allocations LDD SA Adoption Statement	1st December 2014	KD	RG
01	01	Site Allocations LDD SA Adoption Statement	2nd December 2014	KD	RG

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# 1. Introduction

This document has been prepared for the adoption stage of the Three Rivers Site Allocations Local Development Document (Site Allocations LDD). During the LDD preparation process a Sustainability Appraisal and Strategic Environment Assessment (SA/SEA) have been undertaken in parallel.

SA/SEA identifies the social, environmental and economic impacts of a plan and suggests ways to avoid or minimise negative impacts and maximise positive effects. It is required by the 'Town and Country Planning (Local Planning) (England) Regulations 2012', and in addition it incorporates the requirements of the European 'Strategic Environmental Assessment' Directive, transposed into UK legislation through the Environmental Assessment of Plans and Programmes Regulations 2004.

Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') requires that, as soon as reasonably practicable after the adoption of a plan for which an SA/SEA has been carried out, the planning authority must make a copy of the plan publicly available alongside a copy of the SA report and an 'SA statement'; and inform the public and consultation bodies about the availability of these documents. The consultation bodies are English Heritage, Natural England and the Environment Agency. The SA/SEA statement must provide information on:

- a. How the SA/environmental report has been taken into account;
- b. How sustainability/environmental considerations have been integrated into the plan;
- c. The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with;
- d. How consultation opinions on the SA/environmental report of the public, consultation bodies and where appropriate other European Member States have been taken into account; and
- e. The measures that are to be taken to monitor the significant sustainability/environmental effects of the implementation of the plan or programme.

A Habitat Regulations Assessment (HRA) was also undertaken to assess the potential impacts of the plan on internationally important conservation sites such as Natura 2000 sites. HRA assesses the impacts on the Natura 2000 network of internationally important nature conservation sites. It is required by the European 'Habitats Directive', transposed into UK legislation through the Conservation of Habitats and Species Regulations 2010 (and previous similar legislation). The Habitats Directive applies the precautionary principle to designated sites: plans can only be permitted if it has been shown that they will not adversely affect the designated sites, or else can go ahead only under limited and stringent requirements regarding findings of no alternatives, imperative reasons of overriding public interest and provision of compensatory measures. Information on the HRA is provided in Section 7.

## 2. How the sustainability considerations have been integrated into the LDD

The combined SA/SEA process has been designed to ensure sustainability considerations are integrated into planning and decision making processes. SA is an iterative process, thereby influencing and informing each stage of plan development.

Interaction between the planning and SA teams at several key stages during the development of the Site Allocations LDD (and earlier the Core Strategy) has helped to incorporate sustainability and environmental considerations into the plan. Throughout its development the SA process has improved the robustness of the plan by focussing attention early on the environment and sustainability and specific issues raised in the scoping phase.

The SA process aimed to ensure the integration of environmental considerations into the Site Allocations LDD preparation by:

- Undertaking the SA process in parallel with development of the Site Allocations and by providing information on sustainability implications to influence the selection of the sites;
- Issuing the Scoping Report to the statutory consultees and local stakeholders for comments on the key sustainability issues and proposed scope of the SA;
- Recording an assessment of the sustainability effects of Sites in SA Reports written as the sites were identified. SA Reports were produced alongside the Initial Issues and Options; Supplementary Issues and Options Report; Preferred Options; Pre-Submission Stage; Submission Stage and Final LDD; and
- Making recommendations for how the Site Allocations and related Policies could be amended to reduce or offset adverse environmental effects and enhance positive effects.

The key stages of the SA/SEA and plan making processes are summarised in Table 1.

**Table 1.1 Stages in the SA/SEA and Three Rivers Site Allocations LDD**

Three Rivers Site Allocations LDD	SA/SEA Stages	Dates
Begin Document Preparation	Stage A: Setting the context, establishing the baseline and deciding on the scope <ul style="list-style-type: none"> <li>• A1: identify other relevant policies, plans and document programmes , and sustainability objectives.</li> <li>• A2: collecting baseline information.</li> <li>• A3: Identifying sustainability issues and problems.</li> <li>• A4: Developing the SA framework.</li> <li>• A5: Consulting on the scope of the SA (<b>Scoping Report</b>).</li> </ul>	Core Strategy SA Scoping Report (wholly applicable to the Site allocations LDD SA), prepared February 2006 Consultation on Scoping Report February 2006
Preparation of Issues and Options	Stage B: Developing and refining options and assessing of effects	Consultation on Core Strategy Issues &

Three Rivers Site Allocations LDD	SA/SEA Stages	Dates
<p>(I&amp;O) paper and consultation</p> <p>Preparation of preferred options, including consultation on possible preferred option</p>	<ul style="list-style-type: none"> <li>• B1: Testing the LDD objectives against the SA framework.</li> <li>• B2: Developing the LDD options.</li> <li>• B3: Predicting the effects of the LDD.</li> <li>• B4: Evaluating the effects of the LDD.</li> <li>• B5: Considering ways of mitigating adverse effects preferred and maximising beneficial effects.</li> <li>• B6: Proposing measures to monitor the significant effects of implementing the LDDs.</li> </ul>	<p>Options (I&amp;O) paper (which contained the Site allocations principles), June 2006</p> <p>As part of the Core Strategy Preferred Options Consultation, consulted on the Addendum to the Preferred Options SA, November 2009. This document appraised the Strategic and Non-strategic housing sites.</p> <p>Branching out from the Core Strategy, a Site allocations Issues &amp; Options SA Working Note, was produced in November 2010. This document included sites put forward for Education, Retail, Open space and Recreation use.</p>
<p>Public consultation on Preferred options</p>	<p>Stage C: Preparing the Sustainability Appraisal Report.</p> <ul style="list-style-type: none"> <li>• C1 Preparing the <b>SA Report</b>.</li> </ul> <p>Stage D: Consulting on the preferred options of the LDD and SA Report.</p> <ul style="list-style-type: none"> <li>• D1: Public participation on the preferred options of the LDD and the SA Report.</li> <li>• D2 (i) Appraising significant changes.</li> <li>• D2 (ii) Appraising significant changes resulting from representations.</li> <li>• D3: Making decisions and providing Information.</li> </ul>	<p>Preparation of the Core Strategy Preferred Options (which included the housing sites) and the SA Report, February 2009; the Core Strategy Preferred Options Addendum (further housing sites consulted), November 2010</p> <p>Formal consultation on The Core Strategy Preferred Options (which included the housing sites) and the SA Report, February 2009; and consultation on the Core Strategy Preferred Options Addendum (further housing sites consulted), November 2010 and the accompanying SA Report.</p> <p>Preparation of the Site Allocations Issues &amp; Options LDD and preparation of the Site Allocations Issues and Options SA Working Note, November 2010.</p> <p>Formal consultation on the Site Allocations Issues &amp;</p>

Three Rivers Site Allocations LDD	SA/SEA Stages	Dates
		<p>Options LDD and preparation of the Site Allocations Issues and Options SA Working Note, November 2010.</p> <p>Formal consultation on the Site Allocation LDD and the SA Report, Pre-Submission Version, January 2012.</p> <p>Formal consultation on the Site Allocations LDD Additional Sites and the relevant SA Report, Pre-Submission (Preferred Options) Version, July 2012 (conducted by TRDC)</p>
Submission of LDD to Secretary of State	<p>Stage E: Monitoring the significant effects of implementing the LDD</p> <ul style="list-style-type: none"> <li>• E1: Finalising aims and methods for monitoring.</li> <li>• E2: Responding to adverse effects.</li> <li>• Preparing the <b>SEA Statement</b>.<sup>2</sup></li> </ul>	<p>Publication of the Proposed Submission Site Allocations LDD and SA Report, November 2012</p> <p>Submission of the Site Allocations LDD Addendum: June 2013, along with the Proposed Submission Site Allocations LDD SA Report, November 2012).</p> <p>Proposed changes to the Submission Version and Additional Sites Consultation, with SA Addendum in January 2014 (Main Modifications consultation).</p> <p><b>Final adoption of the Site Allocations LDD was adopted on November 25 2014. This is the SA Adoption Statement.</b></p>

<sup>1</sup>This output is not required by the SEA Regulations but was produced to assist in selecting the preferred options.

<sup>2</sup>The SEA Statement is required by the SEA Regulations.

<sup>3</sup> This Addendum forms part of the SA Report at the Submission stage.

### 3. How the SA report has been taken into account

Further to the Scoping Stage, the sustainability impacts of the Site Allocations and related policies were subsequently assessed during each stage of plan making i.e. Initial Issues and Options; Supplementary Issues and Options Report; Preferred Options; Pre-Submission Stage; Submission Stage and Final DPD.

The SA/SEA predicted the implications of each policy on the environmental, social and economic components of the District (and where possible, the region) by undertaking an assessment of each policy against the SA Objectives. The SA/SEA made recommendations on how to improve the sustainability of the policies for identified positive effects, and how to mitigate negative effects.

The advantage of running the SA process in parallel with the plan making process is that it ensures sustainability and environmental considerations are incorporated in the plan. At each stage of planning, the sustainability appraisal team made recommendations regarding measures to include in the plan, such as suggestions to mitigate any negative effects predicted, or to revise policies, options or objectives of the plan to improve its sustainability quotient. Table 2 indicates how the SA process influenced the Site Allocations LDD preparation.

**Table 2: How the SA process influenced Site Allocations LDD Preparation**

SA Stage	Recommendations made in the	Changes made to the Proposed Submission Site Allocations LDD
Pre-Submission SA Report	At the Killingdown Farm site (H13) : the design should be sympathetic to cultural heritage features near the site	Included policy text for H13 for design to be sympathetic to the heritage settings.
Pre-Submission SA Report	At the Gas Works, Salters Close (H24), Depot at Harefiled Road (H26), Depot, Stockers Farm Road (H27), Land South of Tolpits Lane (H28), Little Furze School (H33), Grapevine Public House (H36), Land at Heysham Drive (H37): adverse effects on biodiversity at the site during construction will require to be addressed to limit the negative effects	Policy text requires appropriate studies be conducted to identify adverse ecological impacts
Proposed-Submission SA Report	At the Kings Langley Employment Area (H3), Depot farm, Stockers Road (H27), Grapevine Public House, Prestwick Road (H36). A development of this scale will inevitably impact the biodiversity.	Policy text requires development to enhance biodiversity.

## **4. Why options were taken forward in the light of other alternatives considered**

The SA appraised the plan at each stage of development. It is not the purpose of the SA to choose the alternatives, instead to aid in the decision making process.

The sites contained in the Adopted Sites Allocation LDD have evolved since the production of the Core Strategy and have been refined over time. Prior to the Pre-Submission document in January 2012, the proposed sites were consulted as part of the Core Strategy preparation process- the Core Strategy Preferred Options Addendum, 2009 and later as a Sites Allocation LDD Issues and Options Working Note, 2010. The former contained most of the current proposed housing sites and the latter listed sites for education, employment, retail and open spaces. Based on the consultation responses, and further information, appropriate preferred sites were identified in the Pre-Submission document issued in January 2012. This document included few more residential sites and also made minor revision to the Green Belt boundary associated with development that had already taken place. During this process some alternative sites were also considered but were not taken forward. These sites were documented in the Pre-Submission LDD documentation. Further additional sites were appraised and consulted upon in July 2012. Furthermore a Submission Version was produced and consulted upon in November 2012. The alternative sites were appraised at a high level against the SEA/SA objectives and the results documented as Appendix 6 of the Submission version SA Report. Following the Submission Version two versions of changes were made to the sites and site-specific policies for which Sustainability Appraisal Addendums were produced in June 2013 and January 2014, but no alternate sites were further added to these changes version.

The assessments for the alternative sites identified minor negative to adverse negative impact against one or more than one sustainability objective. For this reason these sites were not taken forward.

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

### ***5.1 Consultation Responses on the SA***

The SEA Directive requires consultation of documents at various stages of the SA process to inform the plan preparation process. This includes consulting with Statutory Consultees, key stakeholders and with the members of the public at different stages.

Prior to a separate Site Allocations LDD being developed some sites formed part of broad locations for employment and retail development and housing sites that were included in the Core Strategy. As a result the Core Strategy consultation process is also applicable to the initial stages of the development of the Site Allocations LDD.

The Core Strategy consultation was held at the end of the scoping stage in 2006; at the end of the Core Strategy Preferred Options DPD in February 2009; and again to consult on the changes to the Preferred Options DPD in November 2009.

### ***5.2 Scoping Stage***

The SEA Regulations and SA Guidance requires that the Scoping Report consultation be carried out with the statutory environmental consultees i.e., Natural England, English Heritage and the Environment Agency. In addition, the Council expanded also consulted with a range of other key stakeholders. The aim of the scoping consultation was to ensure that all the relevant issues were identified and discussed at an early stage of the process so that they could be addressed during the SA and plan making. The list of those who were consulted, those who responded, along with a summary of the comments received and how they have been addressed are included in Appendix 3 of the SA Report (July 2012).

### ***5.3 Consultation on the Core Strategy (including Site Allocations) SA***

No significant comments were received during the second and third round of consultation on the Core Strategy DPD. The consultees included statutory environmental consultees and a wide range of other stakeholders. The public were also invited to respond to the consultation through the inclusion of the documents on the Three Rivers District Council website, at the council offices and in libraries.

### ***5.4 Consultation on Site Allocations LDD SA***

The Pre-Submission Version of the Site Allocations LDD, accompanied by the Pre-submission SA Report was put forward for consultation in January 2012 and further additional sites were put forward for consultation in July 2012. The comments received at the time of preparation of the Proposed Submission Version production in November 2012 were documented in Appendix 3a of the Submission Version. No comments on the Proposed Submission SA Report were received.

### **5.5 Consultation Responses on the Site Allocations LDD**

Consultation on the Site Allocations LDD was undertaken at several stages during plan preparation. A Consultation Statement has been prepared by the Council that outlines who was consulted and how they were consulted and provides a summary of the main issues raised and explains how they have been addressed by the Council. This Consultation Statement is available on the Site Allocations LDD page of the TRDC website:

<http://www.threerivers.gov.uk/Default.aspx/Web/Site-Allocations-Ldd-Supporting-Documents>

## 6. Monitoring Arrangements

The requirement in the SEA Regulations relating to monitoring focuses specifically on significant environmental effects of the implementation of plans and programmes, with a view to identify unforeseen adverse effects at an early stage and be able to undertake appropriate remedial action.

Once the plan is implemented, its effects on the environment are to be monitored to allow action to be taken to reduce and/or offset any significant effects on the environment. Where possible the monitoring will make use of existing monitoring arrangements and link with similar monitoring regimes of the TRDC. Table 3 of this Adoption Statement sets out monitoring indicators, and a monitoring framework, that can be used in conjunction with the TRDC Annual Monitoring Report indicators.

**Table 3: Monitoring Framework**

Effect or indicator to be monitored	Information required / Indicator	Information source	Information quality, gaps (& solution)
Biodiversity	BAP species monitoring	Natural England Specialist environmental groups i.e. RSPB, wetlands trusts etc	To be determined
	Change in areas and populations of biodiversity importance, includes: i) change in priority habitats and species (in type) and ii) change in area designated for their intrinsic environmental value including sites of international, regional, sub-regional or local significance.	Annual Monitoring report  Biodiversity Monitoring Centre	Currently partially monitored (gaps in relation to species to be addressed with HBRC). Currently monitored
	Change in quality condition status of designated sites, e.g. from air pollutant deposition	Natural England, Air Pollution Information System <a href="http://www.apis.ac.uk">www.apis.ac.uk</a>	Consultation for joint action with Natural England/ other stakeholders
Maintain/Enhance Water Quality	Ecological status of the nearest water body	Environment Agency	Currently monitored
Flood Risk	EA Flood Zone classification, the Flood Risk Management Plan and related monitoring	Three Rivers District Council (TRDC)	Level 1 and Level 2 Strategic Flood Risk Assessments of the District
Greenhouse Gas Emissions/ Resource Efficiency	Renewable energy installed by type	Three Rivers District Council (TRDC)	Currently partially monitored, gaps in relation to domestic installations.
	CO2 emissions per dwelling	Defra/ DTI/ DECC	To be determined

Effect or indicator to be monitored	Information required / Indicator	Information source	Information quality, gaps (& solution)
Use of Brownfield Sites	Percentage of new dwellings on previously developed land	TRDC	Currently monitored
Historic & Cultural Assets	No. of conservation areas, Historic Environment Character Zones, Listed Buildings, and locally listed buildings (local output indicator)	TRDC English Heritage	Currently monitored
	Site affecting no. of historic assets in the vicinity	TRDC	To be determined

In terms of the predicted effects, one site was assessed to have adverse negative effect against the soil objective, in the Submission Version (November 2012). Further addendum documents produced in July 2013 and January 2014 included new sites, but no adverse effect was predicted. However minor negative effects and uncertain effects were predicted against number of sites throughout the LDD production process. Monitoring was proposed in relation to the minor negative effects and uncertain effects that were forecast in the assessment in the Submission Version. There are likely to be several benefits in monitoring any environmental effects arising from the implementation of the Site Allocations and related policies, including:

- Identifying when action should be taken to reduce or offset any potential environmental effects of the plan;
- Enhancing understanding of how the environment is changing in the District;
- Tracking whether the plan has any unforeseen environmental effects; and
- Providing baseline data for future SA/SEAs.

### **6.1 Monitoring Measures**

The monitoring measures recommended in this report are aligned with the measures developed for the Adopted Core Strategy. Table 3 presents the monitoring framework.

## 7. Habitats Regulations Assessment

A Habitat Regulations Assessment was conducted as an independent study alongside the SA/SEA for TRDC, sharing information with the SA/SEA where applicable. In November 2007, a Habitat Regulations Assessment (HRA) Screening Report was prepared to comply with the UK's Habitats Regulations. Screening is required where a plan, alone or 'in combination' with other plans, could affect Natura 2000 Sites (Special Protection Areas for birds – SPAs, Special Areas of Conservation for habitats - SACs) following Article 6(3) of the European Habitats Directive.

The first phase of this screening involved an analysis of the Three Rivers Issues and Options to ascertain any likely significant effects that may compromise the conservation objectives of nearby Natura 2000 sites. At this stage it was concluded that on its own the Issues and Options may not pose a threat to any SACs themselves, but may do in combination with other plans and programmes that are relevant to the wider region and this needed investigation. Burnham Beeches SAC was the relevant site to this screening as it is the closest Natura 2000 site to Three Rivers, lying approximately 9.5km from the district boundary.

After identifying the relevant Natura 2000 site for Three Rivers the next phase of the HRA involved examining all other plans, programmes and projects that may affect the Burnham Beeches SAC in conjunction with Three Rivers Issues and Options. This included the Issues and Options papers of St Albans District Council, Dacorum Borough Council and Watford Borough Council. The principle possible impacts on Burnham Beeches SAC were deemed to be water shortage and recreation disturbance due to increased housing in the district.

Reviews were carried out at the Core Strategy Proposed Submission Document (June 2010) and the Core Strategy Further Proposed Changes (October 2010) stages, to examine whether the detailed policies (not available at the Initial Issues and Options Stage) altered the position of the HRA conclusion. It was concluded that there were no significant changes to the Core Strategy that were likely to impact on Burnham Beeches SAC and the housing allocation for the district has decreased since the Core Strategy Issues and Options stage. There was therefore no need to conduct an Appropriate Assessment.

The HRA screening report, in agreement with Natural England, concluded that Three Rivers Core Strategy would not result in any significant effects on any Natura 2000 sites, either alone or in combination with other plans and programmes. It was therefore considered, in consultation with Natural England, the statutory consultee, that a full Appropriate Assessment was not necessary. This conclusion was made in the Submission version of the Site Allocations LDD (November 2012).

The screening did not identify any of the Proposed Changes, subsequent to the Submission Version that would have implications for the original findings of the Habitats Regulations Assessment.

A slight revision to the distance from the Three Rivers Boundary to Burnham Beeches is to be noted as 7.8km as opposed to 9.5km as indicated in the Submission Version SA Report (November 2012).

The SA made recommendation to consider reference to Habitat Regulation 2010 (SI 490) and to the Wildlife and Countryside Act 1981 should be explicitly stated in the introductory chapter or in the Presumption in Favour of Sustainable Development chapter of the Site Allocations LDD. This was to ensure that additional protection for European sites is provided within documents lower to the Core Strategy level. As the Development Management Policies will apply to the sites at the planning application stage and that the Development Policies LDD under policy DM6 in paragraph 8.10 has included this reference, it is not repeated in the Site Allocations LDD.