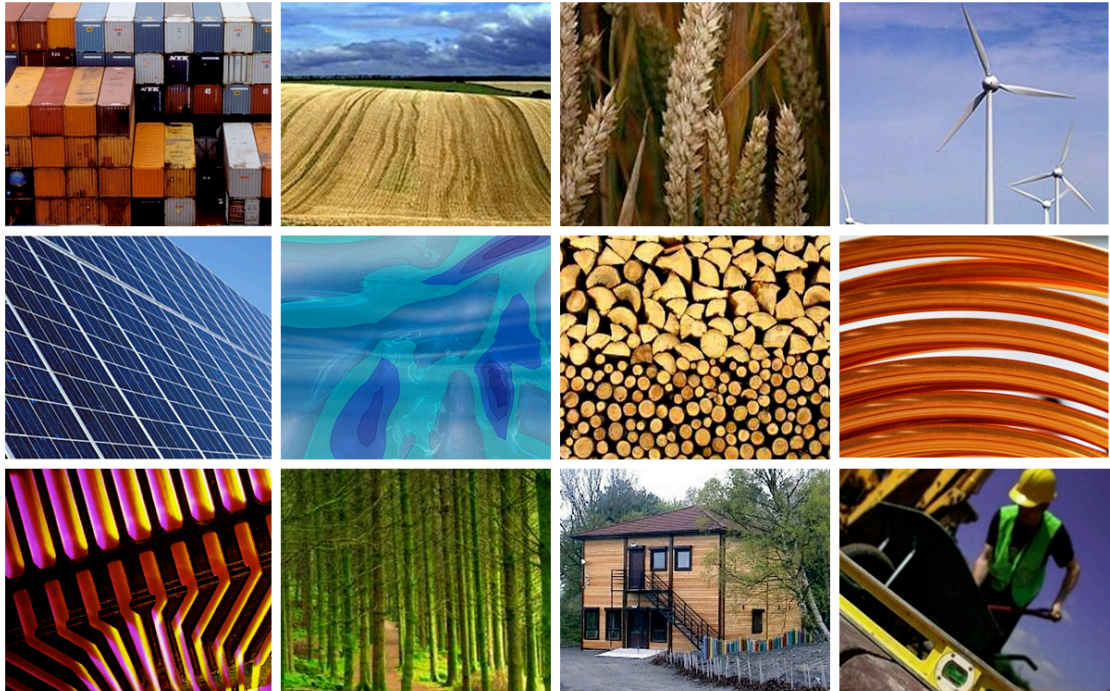


Wyre Forest District Council

Kidderminster Central Area Action Plan DPD Sustainability Appraisal Quality Check

Final Report

May 24th 2012



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1 INTRODUCTION

This report has been prepared by URSUS Consulting Ltd, who have been contracted by Wyre Forest District Council to undertake a quality check of their in-house Sustainability Appraisal work on the Kidderminster Central Area Action Plan DPD (KCAAP DPD). The report sets out the findings and recommendations of the review of the Sustainability Appraisal Report of the KCAAP DPD Publication document.

1.1 AIMS AND OUTPUTS

Following on from the adoption of the Wyre Forest District Council Core Strategy in December 2010, Wyre Forest District Council commenced the production of a Site Allocations and Policies DPD and a Kidderminster Central Area Action Plan DPD as part of the ongoing production of its Local Development Framework (LDF) and to give effect to the development requirements of the Core Strategy.

Each of these plans requires a Sustainability Appraisal (SA) to be carried out, and Wyre Forest District Council has undertaken the SA using in-house staff, with some limited assistance from URSUS Consulting. In May 2011, Wyre Forest District Council published the Preferred Options for the two DPDs for public consultation, and alongside this also issued a draft SA Report covering both DPDs for public consultation. It is expected that Publication versions of the DPDs and full Sustainability Appraisal Reports for each DPD will be published in June 2012.

The purpose of this commission is to provide a peer review and independent verification of the results of the Council's SA Reports produced at key stages in the DPD development process. The role of URSUS Consulting Ltd is to critically appraise the draft SA Reports produced by Council officers to date in the plan preparation process, to comment on their robustness, and to recommend further action to be taken into account in the full SA Report if necessary. This has included an independent check of the options appraisal undertaken in-house.

A draft report was provided to Wyre Forest District Council on 20th January 2012, which commented on the quality of the SA Report of Preferred Options for both the Kidderminster Central Area Action Plan DPD and the Site Allocations and Policies DPD. This provided comments on, *inter alia*, the site options appraisal work, but did not make detailed comments on the policy options appraisal as the detailed appraisal findings were not available at that time.

A second report, an interim report, reviewed and commented on the quality of the draft SA Report of the KCAAP DPD Publication Document, dated 2nd May 2012. It included comments on the detailed policy options appraisal work, but did not revisit the site options appraisal work as reiteration of any previous comments was not considered to be necessary.

This third report, the final report, reviews and comments on the final SA Report of the KCAAP DPD Publication Document, dated 24th May 2012. It comments on the quality and content of the report as a whole, but does not revisit the site options or policy options appraisal work as reiteration of any previous comments is not considered to be necessary.

1.2 SUMMARY OF FINDINGS

Sustainability Appraisal and SA reporting invariably require a substantial amount of work, and it is clear that Council officers have already put significant work into the SA of the KCAAP DPD. However, legislation on Strategic Environmental Assessment (SEA), and therefore also SA of DPDs, is very specific and detailed about the required contents of the SA Report. As a result, SA Reports are often very long and full of detail, and are also often scrutinised and sometimes challenged on their contents. It is therefore essential that the legislation is always followed very carefully, and that the SA Report is examined fully to ensure compliance.

To this end, we have made an assessment of the SA Report and have not identified any areas of non-compliance.

The following section of the report provides more details on the work we have undertaken in quality checking the SA Report, and sets out our findings and comments.

2 QUALITY CHECK

2.1 ASSESSMENT OF COMPLIANCE WITH REGULATIONS AND GOOD PRACTICE

In order to assess compliance with Regulations and accepted good practice in a systematic way, we have reviewed the SA Report against the quality assurance checklist published in the Government's guidance on SA of DPDs¹ (Appendix 4). This is reproduced in Box 2.1 below. This is designed to help local planning authorities ensure that the quality of the process and the SA Report is sufficient to meet the requirements of the SEA Directive and Regulations. It also builds in elements of good practice which, while not explicitly required by the legislation, will contribute to a good quality of report which fulfils its purpose under the legislation.

Box 2.1 The Government's checklist for Sustainability Appraisal of DPDs

Quality Assurance Checklist Requirements:
Objectives and context <ul style="list-style-type: none">• The plan's purpose and objectives are made clear.• Sustainability issues, including international and EC objectives, are considered in developing objectives and targets.• SA objectives are clearly set out and linked to indicators and targets where appropriate.• Links with other related plans, programmes and policies are identified and explained.• Conflicts that exist between SA objectives, between SA and plan objectives, and between SA and other plan objectives are identified and described.
Scoping <ul style="list-style-type: none">• The environmental consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the SA Report.• The appraisal focuses on significant issues.• Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit.• Reasons are given for eliminating issues from further consideration.
Options/Alternatives <ul style="list-style-type: none">• Realistic alternatives are considered for key issues, and the reasons for choosing them are documented.• Alternatives include 'do nothing' and/or 'business as usual' scenarios wherever relevant.• The sustainability effects (both adverse and beneficial) of each alternative are identified and compared.• Inconsistencies between the alternatives and other relevant plans, programmes or policies are identified and explained.• Reasons are given for selection or elimination of alternatives.
Baseline information <ul style="list-style-type: none">• Relevant aspects of the current state of the environment and their likely evolution without the plan are described.• Characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan where practicable.• Difficulties such as deficiencies in information or methods are explained.

¹ Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents: Guidance for Regional Planning Bodies and Local Planning Authorities, ODPM, November 2005

<p>Prediction and evaluation of likely significant effects</p> <ul style="list-style-type: none"> • Likely significant social, environmental and economic effects are identified, including those listed in the SEA Directive (biodiversity, population, human health, fauna, flora, soil, water, air, climate factors, material assets, cultural heritage and landscape), as relevant. • Both positive and negative effects are considered, and where practicable, the duration of effects (short, medium or long-term) is addressed. • Likely secondary, cumulative and synergistic effects are identified where practicable. • Inter-relationships between effects are considered where practicable. • Where relevant, the prediction and evaluation of effects makes use of accepted standards, regulations, and thresholds. • Methods used to evaluate the effects are described.
<p>Mitigation measures</p> <ul style="list-style-type: none"> • Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan are indicated. • Issues to be taken into account in development consents are identified.
<p>The Sustainability Appraisal Report</p> <ul style="list-style-type: none"> • Is clear and concise in its layout and presentation. • Uses simple, clear language and avoids or explains technical terms. • Uses maps and other illustrations where appropriate. • Explains the methodology used. • Explains who was consulted and what methods of consultation were used. • Identifies sources of information, including expert judgement and matters of opinion. • Contains a non-technical summary.
<p>Consultation</p> <ul style="list-style-type: none"> • The SA is consulted on as an integral part of the plan-making process. • The consultation bodies, other consultees and the public are consulted in ways which give them an early and effective opportunity within appropriate time frames to express their opinions on the draft plan and SA Report.
<p>Decision-making and information on the decision</p> <ul style="list-style-type: none"> • The SA Report and the opinions of those consulted are taken into account in finalising and adopting the plan. • An explanation is given of how they have been taken into account. • Reasons are given for choices in the adopted plan, in the light of other reasonable options considered.
<p>Monitoring measures</p> <ul style="list-style-type: none"> • Measures proposed for monitoring are clear, practicable and linked to the indicators and objectives used in the SA. • Monitoring is used, where appropriate, during implementation of the plan to make good deficiencies in baseline information in the SA. • Monitoring enables unforeseen adverse effects to be identified at an early stage. (These effects may include predictions which prove to be incorrect.) • Proposals are made for action in response to significant adverse effects.

Table 2.2 below sets out the items contained in the Government’s checklist, and against each one, we provide an assessment of how the SA process and reporting has met the checklist’s requirements. The following symbols are used to indicate the significance of the assessment.











Symbol	Meaning
	The SA meets the requirements and is of an acceptable standard for the checklist item. No further work is necessary.
	The SA does not fully meet good practice standards in every aspect of the checklist item, but there are no significant omissions and no issues of legislative compliance. Further work could be undertaken but is not essential.
	The SA has not sufficiently met the requirements of the checklist item may risk non-compliance with the SEA Directive if not remedied. Further work must be undertaken to meet the required standards.

Table 2.1 Compliance Assessment for SA of Kidderminster Central Area Action Plan DPD – how does the SA compare against the Quality Assurance Checklist?

Issue		Comments
<i>Objectives and context</i>		
<ul style="list-style-type: none"> The plan’s purpose and objectives are made clear. 		The Draft SA Report sets out clearly the purpose and objectives of the DPD.
<ul style="list-style-type: none"> Sustainability issues, including international and EC objectives, are considered in developing objectives and targets. 		The Report sets out an extensive review of PPPs at all levels, including international and EU, and explains that these have informed the development of the SA framework.
<ul style="list-style-type: none"> SA objectives are clearly set out and linked to indicators and targets where appropriate. 		Objectives are clearly set out in section 5.5 of the report and linked to indicators and targets.
<ul style="list-style-type: none"> Links with other related plans, programmes and policies are identified and explained. 		Section 5.1 discusses the links between the links between the Kidderminster Central Area Action Plan (KCAAP) DPD and related plans, programmes and policies
<ul style="list-style-type: none"> Conflicts that exist between SA objectives, between SA and plan objectives, and between SA and other plan objectives are identified and described. 		The Report examines whether there are any internal conflicts between the SA objectives and discusses the implications of these.
<i>Scoping</i>		
<ul style="list-style-type: none"> The environmental consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the SA Report. 		Consultation on the Scoping Report was carried out in line with requirements.
<ul style="list-style-type: none"> The appraisal focuses on significant issues. 		The Report identifies the key relevant sustainability issues for Wyre Forest, and these are largely reflected in the SA objectives, although for one issue it is not. There may be a need to include a criterion under objective 9 that asks whether water consumption is sustainable, which is a different question from whether development is water efficient. The assessment against objective 9 appears

Issue		Comments
		to focus almost exclusively on air quality issues, particularly for the assessment of sites.
<ul style="list-style-type: none"> • Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit. 	☺	The Report identifies difficulties encountered in relation to the availability of baseline and future monitoring data and assessment of effects. It also discusses assumptions made in the assessment of effects.
<ul style="list-style-type: none"> • Reasons are given for eliminating issues from further consideration. 	☺	No issues appear to have been eliminated.
<i>Options/Alternatives</i>		
<ul style="list-style-type: none"> • Realistic alternatives are considered for key issues, and the reasons for choosing them are documented. 	☺	Options for sites and policies have been considered, and the reasons for choosing them are documented in section 6.
<ul style="list-style-type: none"> • Alternatives include 'do nothing' and/or 'business as usual' scenarios wherever relevant. 	☺	Yes.
<ul style="list-style-type: none"> • The sustainability effects (both adverse and beneficial) of each alternative are identified and compared. 	☺	Yes.
<ul style="list-style-type: none"> • Inconsistencies between the alternatives and other relevant plans, programmes or policies are identified and explained. 	☺	Section 6.4 of the SA Report identifies inconsistencies between policy options and the Adopted Core Strategy.
<ul style="list-style-type: none"> • Reasons are given for selection or elimination of alternatives. 	☺	Reasons are given for the selection and elimination of sites and policy options in sections 6.2 to 6.4.
<i>Baseline information</i>		
<ul style="list-style-type: none"> • Relevant aspects of the current state of the environment and their likely evolution without the plan are described. 	☺	Relevant aspects of the current state of the environment are described, as is their likely evolution without the DPD.
<ul style="list-style-type: none"> • Characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan where practicable. 	☺	Appendix B describes in detail the sustainability baseline for Wyre Forest, and also for Kidderminster where data is available.
<ul style="list-style-type: none"> • Difficulties such as deficiencies in information or methods are explained. 	☺	Difficulties in relation to the collection of baseline data and assumptions in the assessment methods are explained.
<i>Prediction and evaluation of likely significant effects</i>		
<ul style="list-style-type: none"> • Likely significant social, environmental and economic effects are identified, including those listed in the SEA Directive (biodiversity, population, human health, fauna, flora, soil, water, air, climate factors, material 	☺	The SA framework covers Directive issues and this has been used to appraise the policies, sites and options for the KCAAP DPD.

Issue		Comments
assets, cultural heritage and landscape), as relevant.		
<ul style="list-style-type: none"> Both positive and negative effects are considered, and where practicable, the duration of effects (short, medium or long-term) is addressed. 	☺	Positive and negative effects are considered, and the duration.
<ul style="list-style-type: none"> Likely secondary, cumulative and synergistic effects are identified where practicable. 	☺	Cumulative and synergistic effects have been identified, in relation to all development sites in combination and also looking at potential impacts arising from other plans and programmes. Secondary effects are considered as an integral and implicit aspect of the detailed individual site and policy appraisals.
<ul style="list-style-type: none"> Inter-relationships between effects are considered where practicable. 	☺	Inter-relationships between effects have been considered as a component of cumulative effects.
<ul style="list-style-type: none"> Where relevant, the prediction and evaluation of effects makes use of accepted standards, regulations, and thresholds. 	☺	Although the assessment of effects is largely qualitative, some reference is made to several standards and thresholds, including the Code for Sustainable Homes, and affordable housing thresholds and renewable energy standards from the Adopted Core Strategy. Some assessment of acceptable walking distances and travel times has also been made.
<ul style="list-style-type: none"> Methods used to evaluate the effects are described. 	☺	Section 5.5 describes the way the effects have been assessed.
<i>Mitigation measures</i>		
<ul style="list-style-type: none"> Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan are indicated. 	☺	Some mitigation is proposed for individual sites in Appendix C and for policy options and policies in Appendix D. The report also identifies where changes have already been made to the DPD as a result of the SA in section 2.3.
<ul style="list-style-type: none"> Issues to be taken into account in development consents are identified. 	☺	The detailed appraisal tables have made some recommendations for issues to be taken into account in development consents.
<i>The Sustainability Appraisal Report</i>		
<ul style="list-style-type: none"> Is clear and concise in its layout and presentation. 	☺	Yes, clear, and as concise as it can be.
<ul style="list-style-type: none"> Uses simple, clear language and avoids or explains technical terms. 	☺	Yes.
<ul style="list-style-type: none"> Uses maps and other illustrations where appropriate. 	☺	Yes.
<ul style="list-style-type: none"> Explains the methodology used. 	☺	Yes.
<ul style="list-style-type: none"> Explains who was consulted and what methods of consultation were used. 	☺	Lists the consultees and describes the methods of consultation.
<ul style="list-style-type: none"> Identifies sources of information, including expert judgement and matters of opinion. 	☺	The methodological descriptions in paragraphs 5.5.2 to 5.5.21 identify sources of information used in the assessment.

Issue		Comments
<ul style="list-style-type: none"> Contains a non-technical summary. 	☺	A Non-Technical Summary has been included as section 2.1 of the report, and covers all required items in Annex I of the SEA Directive.
<i>Consultation</i>		
<ul style="list-style-type: none"> The SA is consulted on as an integral part of the plan-making process. 	☺	Yes.
<ul style="list-style-type: none"> The consultation bodies, other consultees and the public are consulted in ways which give them an early and effective opportunity within appropriate time frames to express their opinions on the draft plan and SA Report. 	☺	Yes.
<i>Decision-making and information on the decision</i>		
<ul style="list-style-type: none"> The SA Report and the opinions of those consulted are taken into account in finalising and adopting the plan. 	☺	The report describes how the SA has influenced the DPD development process. The opinions of those consulted have been taken into account.
<ul style="list-style-type: none"> An explanation is given of how they have been taken into account. 	☺	Section 2.3 shows how the SA Report has been taken into account.
<ul style="list-style-type: none"> Reasons are given for choices in the adopted plan, in the light of other reasonable options considered. 	☺	Choices in the Publication DPD are explained in paragraphs 7.2.3 to 7.2.14.
<i>Monitoring measures</i>		
<ul style="list-style-type: none"> Measures proposed for monitoring are clear, practicable and linked to the indicators and objectives used in the SA. 	☺	Yes. It is recommended that paragraph 5.3.2 is amended to state that where data is not available, either monitoring will be required to gather the data, or alternative/proxy indicators will need to be found for which data is more readily available.
<ul style="list-style-type: none"> Monitoring is used, where appropriate, during implementation of the plan to make good deficiencies in baseline information in the SA. 	☺	It is likely that this will be the case.
<ul style="list-style-type: none"> Monitoring enables unforeseen adverse effects to be identified at an early stage. (These effects may include predictions which prove to be incorrect.) 	☺	This is likely to be facilitated.
<ul style="list-style-type: none"> Proposals are made for action in response to significant adverse effects. 	☹	No, but this is not a significant gap.