

THE GWYNEDD AND ANGLESEY JOINT LOCAL DEVELOPMENT PLAN

STATEMENT OF ADOPTION

28 JULY 2017

(GWYNEDD COUNCIL)

31 JULY 2017

(ISLE OF ANGLESEY COUNTY COUNCIL)

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THE ANGLESEY AND GWYNEDD JOINT LOCAL DEVELOPMENT PLAN STATEMENT OF ADOPTION

BACKGROUND

1. In accordance with the requirements of Regulation 25(2) of the Town and Country Planning (Local Development Plans) (Wales) Regulations 2005 and Regulation 16 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, the Authorities are required to prepare an Adoption Statement for the Anglesey and Gwynedd Joint Local Development Plan.
2. Part 1 of the Statement addresses the requirements of the Town and Country Planning (Local Development Plans) (Wales) Regulations 2005 and Part 2 accords with the requirements of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

PART 1: THE JOINT LOCAL DEVELOPMENT PLAN STATEMENT OF ADOPTION

3. The Gwynedd and Anglesey Joint Local Development Plan was adopted on 28 July 2017 by Gwynedd Council and on 31 July 2017 by the Isle of Anglesey County Council. The Plan came into effect at the time of its adoption.
4. The Joint Local Development Plan is the planning policy document for Gwynedd (excluding that area within the Snowdonia National Park Planning Authority) and Anglesey. It notes the key policies and land use allocations that will facilitate the Plan area's development up to 2026. The Joint Local Development Plan replaces the following plans and planning policies:

<u>Anglesey</u>	<u>Gwynedd Planning Authority Area</u>
<ul style="list-style-type: none"> • Gwynedd Structure Plan (1993) • Anglesey Local Plan (1996) • Anglesey Unitary Development Plan (stopped) (2005) • Interim Planning Policy: Large Sites (2011) • Interim Planning Policy: Rural Clusters (2011) 	<ul style="list-style-type: none"> • Gwynedd Unitary Development Plan (2009)

5. Copies of the adopted Plan, the report of the Planning Inspector appointed to hold the independent Examination, the Sustainability Appraisal report (incorporating the Strategic Environmental Assessment SEA) and the Habitats Regulations Assessment together with this Adoption Statement are available for inspection free of charge at the following offices, during normal opening hours from Monday to Friday, and at public libraries in Gwynedd and Anglesey during their normal opening hours:

- (i) Main Office, Anglesey County Council, Llangefni;
- (ii) Anglesey County Council Business Centre, Llangefni;

- (iii) Joint Planning Policy Unit Office, Ffordd Gwynedd, Bangor
- (iv) Siop Gwynedd, Gwynedd Council, Castle Street, Caernarfon
- (v) Siop Gwynedd, Gwynedd Council, Embankment Road, Pwllheli
- (vi) Siop Gwynedd, Gwynedd Council, Cae Penarlâg, Dolgellau

6. The above named documents can be seen on the websites of both Councils at www.anglesey.gov.uk/ldp and www.gwynedd.llyw.cymru/ldp
7. Hard copies of the documents named in paragraph 5 will be available for purchase.
8. A person aggrieved by the 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 been complied with in relation to the adoption of the Plan, may, within six weeks from the Plan's adoption date, make an application to the High Court under Section 113 of the 2004 Act.

PART 2: ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES (WALES) REGULATIONS 2004

Background

9. This section of the Adoption Statement describes how the SA process has influenced the development of the Anglesey and Gwynedd JLDP and how environmental and consultation responses have been taken into account during the development of the Plan. It also outlines why the JLDP 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. The Anglesey and Gwynedd JLDP provides a spatial framework which is underpinned by the principles of sustainable development.
10. Planning legislation requires that Development Plans are subject to a Sustainability Appraisal. This is a systematic process that is designed to evaluate the predicted social, economic and environmental effects of development planning. European and UK legislation require the Plans are also subject to a Strategic Environmental Assessment (SEA) – a process that considers the effects of development planning on the environment. Where significant adverse effects are predicted, the SEA aims to identify 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.
11. The SEA Regulations require that a statement be made available to accompany the Plan as soon as possible upon adoption. The statement must contain details of the following:
 - How environmental considerations have been integrated into the local Development Plan;
 - How the Environmental report (SA/SEA Report) has been taken into account;
 - How opinions expressed in relation to the consultations have been taken into account;
 - How the results of any transboundary consultations have been taken into account;
 - The reasons for choosing the plan or programme as adopted, in light of the other reasonable alternatives dealt with;
 - The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan.

12. Each of these requirements 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 SA Reports, Consultation Report and the Inspector’s Report. In accordance with paragraph 8.4.2.3 of the Local Development Plan Manual (Ed. 2, August 2015), rather than duplicate this material, appropriate cross references are made to relevant documents within this statement.
13. The JLDP was also subject to a Habitats Regulations Assessment (HRA) which was carried out alongside the SA. The HRA Report assessed the impacts of the Plan 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 JLDP. The HRA also accompanied the Deposit LDP and adopted Plan and was reported separately.

How environmental considerations have been integrated into the Joint Local Development Plan

14. Planning legislation and guidance requires that environmental considerations be incorporated into policy development at all stages. The LDP consequently includes a wide range of policies addressing environmental issues, and considerations.
15. The Anglesey and Gwynedd JLDP has been subject to a Strategic Environmental Assessment (SEA) in order to consider the potential impact of the Plan on the environment and to improve the Plan’s environmental performance. Planning legislation also requires that development plans are subject to a broader Sustainability Appraisal; which incorporates social and economic considerations in addition to environmental; and this information has been incorporated into this Adoption Statement.
16. Sustainability Appraisal has been undertaken to inform all stages of the preparation of the Plan. The Appraisal has included several stages and reports. These demonstrate the feedback process between plan making and the sustainability appraisal, allowing sustainability considerations to be integrated into the JLDP.
17. The following stages of the SA have been undertaken in the preparation of the JLDP.

Plan Stage	SA/SEA Stage	SA Output
Review Evidence Base Call for Candidate Sites	SA Scoping Report	<ul style="list-style-type: none"> • SA Scoping Report
Pre-deposit Stage (Preferred Strategy)	SA of Vision and Objectives Candidate Sites Strategic Options Strategic Policies	<ul style="list-style-type: none"> • Initial SA Report • Initial SA Report Non-technical Summary
Deposit Stage	SA of Deposit Plan	<ul style="list-style-type: none"> • SA Report of the Deposit Plan • Non-technical Summary of the SA Report
Focus Changes	SA of Focus Changes	<ul style="list-style-type: none"> • SA Addendum Report
Examination - Matters Arising Changes (MACS) –	SA of Matters Arising Changes	<ul style="list-style-type: none"> • SA Addendum Report

Plan Stage	SA/SEA Stage	SA Output
first schedule		
Examination – additional potential MACS, final schedule of MACs and Inspector Recommendations	SA Screening of additional potential MACS, final schedule of MACs and Inspector Recommendations	<ul style="list-style-type: none"> Final SA Report
Adoption	Final SA of Plan	<ul style="list-style-type: none"> Final SA Report Non-technical Summary

How the Environmental Report (SA/SEA Report) has been taken into account

18. The SA Report and the JLDP were developed in parallel, with each stage of the SA informing and influencing the progression of the Plan. The following sections summarise how the issues identified through the key stages of the SA have informed and influenced the JLDP.

- **SA Scoping**

19. In 2011, an SA Scoping process was undertaken to ensure that the SA addressed the key sustainability issues pertinent to the Plan Area. Relevant plans and programmes were also reviewed and from this analysis, key sustainability problems, issues and opportunities were identified. A key output of the SA Scoping Report was the development of an appraisal framework of proposed objectives to identify, describe and evaluate the positive and negative environmental effects of the Plan. The SA Scoping Report was subject to consultation in July 2011. A table appraising the SA Scoping report consultation responses received was included as an appendix in the initial SA Report (ISAR) which was published for consultation in May 2013 alongside the pre-deposit Preferred Strategy documents.

- **SA Candidate Site Assessment**

20. In order to ascertain what land is available to meet Anglesey and Gwynedd's development needs, in October 2011 a Candidate Site Register (CSR) was formally opened where stakeholders, landowners and other interested parties were invited to submit land for consideration for inclusion in the JLDP. The methodology used to assess the candidate sites was also reviewed in relation to the SA objectives framework to ensure consistency with the SA. The initial filtering of candidate sites against the agreed methodology discarded those sites that failed the submission criteria i.e. they were identified as being totally unrealistic to develop, did not comply with international, national or local policy or had fundamental constraints that could not be overcome or mitigated. As a result, 243 were removed from the assessment process. All of the reasonable options identified through the Councils' Candidate Site Process and Methodology were subject to SA with the summary findings provided in Chapter 4 and Appendix 7 of the SA Report (Document CDLL.007 in the Examination Library).

- **SA Pre-Deposit Stage (Preferred Strategy)**

21. The Initial SA Report (ISAR) (2013) accompanied the Preferred Strategy on public consultation in May/June 2013. The ISAR included an assessment of the spatial and growth options, the vision, strategic objectives and strategic policies using the SA Framework devised in the

Scoping report. Where likely significant negative effects were identified, recommendations for mitigation measures were made.

22. Overall, the SA showed that the proportionate distribution to both urban and rural areas was the most sustainable option, scoring best against the majority of the sustainability objectives. The proportionate distribution of development throughout the Plan area addresses the socio-economic needs of the urban as well as the rural population, whilst simultaneously reducing the potential impact upon the environment of dispersed development.
23. An assessment of the four growth options led to the development of an alternative/hybrid growth option. It was considered that this medium growth option was more realistic and deliverable. It provides for and facilitates growth in the local economy, accompanied by a net growth in jobs and an associated increase in demand for housing and services.
24. The SA of the Plan's vision and objectives concluded that overall, the majority of SA Objectives were either compatible with the Plan's objectives or had no relationship with them. Only a smaller number of objectives were found to be potentially conflicting with each other. Minor amendments were made to both the vision and objectives to improve their sustainability performance. An assessment of the strategic policies also led to minor amendments to improve their sustainability performance. These can be seen in chapter 5 of the final SA Report (document ref: CDLL007 Examination Library).

- **Deposit Stage**

25. A SA Report (February 2015) accompanied the Deposit JLDP on public consultation from 16 February to 31 March 2015. The comments received in relation to the SA Report and how they have been addressed are presented in Appendix 1 of the Final SA Report. As a result of responses received on the Deposit JLDP the Council made a number of changes to the Plan in preparation for submission to the Welsh Government. These changes are referred to as Focus Changes. It was important that these changes were screened to determine if they significantly affect the findings of the previous SA work presented in the February 2015 SA Report.
26. The proposed Focused Changes to the JLDP since the Deposit stage were screened for significance with regard to the SA work, which is presented in Appendix 9 of the SA Report. The screening found that the majority of changes were minor and did not significantly affect the findings of the previous SA work as they sought to provide further clarification or ensure consistency. A further Addendum Report was published in July 2016 which considered proposed amendments to the JLDP following consideration of responses to the Focused Changes as well as further work in relation to Gypsy & Traveller site options, renewable energy development, and to address the Inspector's concerns. (DA021 in the Examination Library).

- **SA Matters Arising Changes**

27. During the process of Examination, a number of amendments were proposed to the JLDP in response to action points arising from the discussion at the Hearing Sessions held between September and November 2016. These Matters Arising Changes (NMC) were subject to public consultation during January – March 2017. These NMC were subject to SA screening (see document reference DA.041 in the Examination Library). Following consideration of the comments received during the consultation period, further potential NMC to the Plan were

suggested. All these further potential NMC were subject to SA screening (see Appendix 1 to the 'Observations on representations about Matters Arising Changes' DA.045 – Examination Library). Two additional Hearing Sessions were held in April 2017 to consider objections to the MACs. Following on from these Hearings the Councils published the final schedule of NMC (document reference DA.047b and DA.047c).

28. It was concluded that the NMC included in the final schedule of changes did not significantly affect the findings of the previous SA work as they sought to provide further clarification, or ensure consistency and accuracy, as well as conformity with higher level (national) planning policy guidance and statements. The findings are set out in Appendix 10 of the final SA report

- **Final SA Report**

29. The SA of the Adopted Plan is the final stage of the process. The integration of environmental considerations into the LDP has, therefore, been undertaken progressively and iteratively as the Plan has developed. The Inspector in his Report, dated 30 June 2017, has recommended additional changes, referred to as Inspector's Changes (IC). These have been subject to SA screening and have been found not to significantly affect the findings of the previous SA work as they are minor changes. The Inspector's Report states that: *"the Plan has been subject to SA including SEA. Further changes put forward by the Councils as part of the examination process have likewise been tested where necessary for any impacts they have upon the SA and SEA"*.
30. Furthermore, the Inspector states that *"in accordance with the Habitats Directive, a HRA of the Plan has been undertaken"* and that he is *"satisfied that the results of the HRA Screening demonstrate that no significant effects upon the integrity of the European sites within the plan area or in adjacent areas are likely to occur (either alone or in combination with other plans or projects) as a result of implementing the Plan."* A copy of the final HRA Report has been made available alongside the adopted Anglesey and Gwynedd JLDP and the Inspector's Report on the Councils' website and can be viewed at the Council offices and public libraries in Anglesey and Gwynedd.
31. The final SA Report has also been made available at the same locations.

How opinions expressed in relation to the consultations have been taken into account

32. Consultation is a key component of the SA process and consultation for the SA of the JLDP was undertaken in accordance with Article 6 of the EU Directive 2001/42/EC, the Environmental Assessment of Plans and programmes Regulations 2004, and the Council's Community Involvement Scheme (CIS). For SA/SEA, there is a statutory requirement to consult authorities with environmental responsibilities, namely, Natural Resources Wales and CADW. In addition, consultation with the public and other interested stakeholders should also take place.
33. Consultation with the full range of stakeholders was undertaken at the following key stages of the SA process:
 - **SA Scoping Report (2011)** – the SA Scoping Report was prepared in consultation with an internal task group in order to provide specialist input into the SA of the JLDP. The task group included a number of officers from different departments of both Councils. Each officer was chosen to provide input into various aspects of the SA/SEA process depending

on their area of expertise. The Scoping report was consulted upon for 7 weeks on 21 July 2011. Responses were taken into account and revisions were made accordingly.

- **SA of the Preferred Strategy (2013)** – An Initial Sustainability Appraisal Report was placed alongside the JLDP Preferred Strategy for 7 weeks between in May 2013. Representations received were considered in the next stage of the SA and responses were recorded in the SA Report.
- **SA Deposit JLDP (2015)** - A SA Report was placed on public consultation alongside the Deposit Plan for 7 weeks between 15 February 2015 and 31 March 2015. This resulted in the proposal of a number of 'Focussed Changes' by the Council (see below).
- **SA Focussed Changes (2016)** – following consultation on the Deposit Plan a series of focus changes were proposed to the JLDP taking into account the comments received. A consultation was undertaken on the proposed Focussed Changes between 25 February 2016 and 13 April 2016. A SA of the Focussed Changes was undertaken prior to formal submission of the JLDP, and this was submitted to the Welsh Government. A Sustainability Addendum Report July (2016) considered proposed amendments to the JLDP following consideration of responses to the Focused Changes as well as further work in relation to Gypsy & Traveller site options, renewable energy development, and matters raised by the Inspector prior to the Hearing Sessions (document reference DA.021 Examination Library).
- **SA of Matters Arising Changes (2017)** – further proposed changes were identified in response to agreed actions during Hearing Sessions held as part of the Examination process. These Matters Arising Changes (MACs) were subject of a public consultation between 26 January 2017 and 9 March 2017. The MACs were subject to SA Screening and reported in an Addendum Report (document reference DA.041 in the Examination Library).

How the results of any transboundary consultations have been taken into account

34. The SA process did not indicate that the Anglesey and Gwynedd JLDP is likely to have significant effects on the environment of another EU Member State. As such no transboundary consultation was entered into under Regulation 14 of the Environmental Assessment of Plans and programmes (Wales) Regulations 2004.
35. The HRA of the JLDP considered the effects of the Plan beyond the Anglesey and Gwynedd 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 JLDP would not result in a likely significant effect on any European Site either alone or in combination with other plans and projects.

The reasons for choosing the plan or programme as adopted, in light of the other reasonable alternatives dealt with

36. A range of options were considered as part of the JLDP preparation process. These included strategic growth options, spatial options, plan policies and development allocations. These were tested against the SA Framework. Five spatial options and four growth options were considered in pre-deposit proposals (which incorporated the preferred Strategy) and were

subject to SA. In order to achieve the Plan's vision and objectives, the Council's chose to implement the proportionate distribution of development throughout the plan area and an alternative/hybrid level growth option (medium growth option). More details on the consideration of options and the SA recommendations is provided in Chapter 4 of the Final SA Report.

37. With respect of alternative development allocations, in accordance with the Candidate Site methodology, a three stage filtering exercise was undertaken to assess the suitability of submitted sites. Stage 1 involved the initial filtering of sites with those that were deemed unsuitable or unrealistic being discarded, stage 2 involved a detailed site assessment (including assessment against SA/SEA/HRA objectives and stage 3 involved the assessment of sites against other strategies and appraisals. The relative merits of the various sites were compared and the most appropriate sites were incorporated into the Plan as development allocations.

The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan.

38. Monitoring is a critical component in ensuring that the Plan policies are effectively implemented. The SEA Regulations require measures that are to be taken to monitor the significant environmental effects of the implementation of the JLDP to be put in place (Reg 17).
39. Chapter 7 of the adopted JLDP sets out the Monitoring Framework which provides the basis for assessing the effectiveness of the JLDP policy framework. Chapter 7 of the SA Report suggests a monitoring framework for the SA of the JLDP. The Councils' response to Action Point S16/43 clarifies the relationship between the Plan's Monitoring Framework, the SA and the HRA (see documents relating to Hearing Session 16 in the Examination Documents section of the Examination Library).
40. The Planning Act requires Local Planning Authorities to produce Annual Monitoring Reports (AMRs) to show how the policies and proposals of their LDP's are performing. The AMR is the main mechanism for reviewing the relevance and success of the JLDP and identifying any changes necessary. AMRs include a range of measurable indicators against which to assess the performance of the Plan's policies. There is considerable overlap between the monitoring framework of the Plan and the suggested SA monitoring framework. Therefore, in the AMR, where appropriate, each of the SA objectives will be assessed against those Plan monitoring indicators that are relevant to the sustainability objectives.
41. Government guidance on SA/SEA advises that existing monitoring arrangements should be used where possible to avoid duplication. Government requires local planning authorities to produce Monitoring Reports (MRs), and the Council's Monitoring Report (produced annually) is considered sufficient to ensure appropriate monitoring takes place for the SA.

Further information

If you require any further information or have any questions, please contact the Joint Planning Policy Unit:

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Telephone: (01766) 771000 (ask to speak to an officer at the Joint Planning Policy Unit).

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