

Vale of Glamorgan Local Development Plan 2011 – 2026

Adoption Statement

28th June 2017

**Vale of Glamorgan Council
Regeneration and Planning
Dock Office
Barry Docks
Barry
CF63 4RT**

1. BACKGROUND

- 1.1 In accordance with the requirements of Regulation 25(2) of the Town and Country Planning (Local Development Plans) (Wales) Regulations 2005 (as amended) and Section 16 of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council is required to prepare an Adoption Statement for the Vale of Glamorgan Local Development Plan.
- 1.2 Part 1 of this statement addresses the requirements of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended) and Part 2 accords with the requirements of the Environmental Assessment of the Plans and Programmes (Wales) Regulations 2004.

2. PART 1 – LOCAL DEVELOPMENT PLAN STATEMENT OF ADOPTION

TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT PLANS) (WALES) REGULATIONS 2005 (AS AMENDED)

- 2.1 The Vale of Glamorgan Local Development Plan 2011 – 2026 (LDP) was adopted on the 28th June 2017. The LDP became operative on its adoption.
- 2.2 The Vale of Glamorgan LDP is the planning policy document for the Vale of Glamorgan. It sets out key policies and land use allocations that will shape the future of the Vale of Glamorgan and guide development up to 2026. The LDP replaces the Adopted Vale of Glamorgan Unitary Development Plan 1996 – 2011 (UDP) which is time expired.
- 2.3 Copies of the Vale of Glamorgan LDP are available to view at the Council's Dock Office in Barry (CF63 4RT) during normal opening hours and at the following locations during normal opening hours:
- Vale of Glamorgan Council, Civic Office, Holton Road, Barry, CF63 4RU
 - Vale of Glamorgan Council, Alps Depot, Quarry Road, Wenvoe, CF5 6AA
 - All Vale of Glamorgan public libraries
- 2.4 The adopted Plan is also available on the Council's website at:
www.valeofglamorgan.gov.uk/ldp
- 2.5 In addition to the adopted Vale of Glamorgan LDP, the following documents have been published are also available to view at the above locations and on the Council's website:
- The Inspector's Report
 - Final Sustainability Appraisal of the Vale of Glamorgan Local Development Plan
 - Vale of Glamorgan Local Development Plan Adoption Statement
- 2.6 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 been complied with in relation to the adoption of the Local Development Plan, 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.

3. **PART 2 – ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES (WALES) REGULATIONS 2004**

Introduction

- 3.1 LDPs are a requirement of the Planning and Compulsory Purchase Act 2004. The Vale of Glamorgan LDP provides the development strategy and land use planning policy framework for the LDP area up to 2026. The LDP is underpinned by the principles of sustainable development and provides a policy framework that integrates social, environmental and economic issues that are relevant to the people who live, work and visit the Vale of Glamorgan.

Sustainability Appraisal and Strategic Environmental Assessment

- 3.2 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 and to inform the decision making process. European and UK legislation requires that LDPs 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 as part of an iterative process and requires that Plans are subject to SA incorporating SEA through a single appraisal process. The term referred to as 'SA' throughout this report should therefore be taken to include the requirements of SEA.
- 3.3 This section of the Adoption Statement describes how the SA/SEA process has influenced the development of the Vale of Glamorgan LDP and how environmental considerations and consultation responses have been taken into account during the development of the Plan. It also outlines why the Deposit LDP was progressed in the light of other reasonable alternatives and highlights the measures that have been developed to track the effects of the Plan.
- 3.4 The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 require 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 that this post 'Adoption Statement' provides the following information:
- How environmental considerations have been integrated into the plan or programme;
 - How the Environmental Report (the SA/SEA Report) has been taken into account;
 - How opinions expressed in relation to the consultations on the plan and Environmental Report (the SA/SEA) have been taken into account;
 - How the results of any trans boundary consultation have been taken into account;
 - The reasons for choosing the plan as adopted, in the 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.

- 3.5 Each of the requirements set out in paragraph 3.4 above is dealt with in turn below. It should be noted that full details regarding these matters are contained in existing documents such as the Final Sustainability Appraisal Report (June 2017) and the Sustainability Appraisal Report (September 2013) as amended by the Focused Changes SA Addendum (2015), the Matters Arising Changes SA Addendum (September 2016) and the Further Matters Arising Changes SA Addendum (February 2017). The LDP Initial Consultation Report (September 2013), LDP Consultation Report (2015) and the Inspector’s Report (May 2017) also set out the changes made to the LDP during the plan making process. In accordance with paragraph 8.4.2.3 of the Local Development Plan Manual (Edition 2, August 2015), rather than duplicate this material, appropriate cross references are made to relevant documents within this statement.
- 3.6 The LDP was also subject to a Habitats Regulations Assessment (HRA) which was carried out in parallel to the SA/SEA process. The HRA assessed the impacts of LDP in combination with the effects of other plans and projects on European sites designated for their ecological status. This assessment also accompanied the Deposit LDP and adopted Plan and was reported separately. Details of the HRA are also available on the Council’s website.

How Environmental considerations have been integrated into the LDP

- 3.7 The LDP 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.
- 3.8 The SA/SEA process has been integral to the development of the LDP and has ensured that the LDP promotes sustainable development through the integration of the key social, economic and environmental objectives. The SA process has continued throughout the plan preparation process and 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 LDP and plan making process.
- 3.9 A Habitats Regulations Assessment has also been undertaken which concluded that the LDP will not have a significant effects on European sites alone or in-combination with any other plans or projects.
- 3.10 Table 1 below illustrates the stages of the LDP process and the SA assessments undertaken.

SA Stage	LDP Stage	Consultation / Timescale
LDP Scoping Report	Evidence base preparation (including stakeholder workshops)	July 2007
Options Appraisal Report	Pre-Deposit Plan Preparation Strategic Options (including officer and stakeholder workshops)	November 2007
Initial SA report	Pre-Deposit Plan Preparation Draft Preferred Strategy	December 2007

Revised Options Appraisal Report	Pre-Deposit Plan Preparation	March 2009
Sustainability Appraisal Report of Deposit LDP	Deposit Plan Consultation	September 2013
Sustainability Appraisal Report Addendum	Focused and Minor Changes Consultation	June 2015
SA of Matters Arising Changes 2016 Addendum	Examination	September 2016
SA of Further Matters Arising Changes 2017 Addendum	Examination	February 2017
Final LDP Sustainability Appraisal Report	Inspectors Report and Adoption	June 2017

- 3.11 The SA process was iterative and as the plan progressed, each stage was assessed against the defined SA objectives and public consultation undertaken.

How the Environmental Report has been taken into account

- 3.12 The SA/SEA and LDP were developed in parallel, with each stage of the SA/SEA informing and influencing the preparation and progression of the LDP. The following sections summarise how the issues identified through the key stages of SA/SEA process have influenced and informed the LDP.

SA Scoping (July 2007)

- 3.13 The initial stage of the SA process involved the preparation of a ‘Scoping Report’ which reviewed the existing relevant baseline information considered relevant to inform the emerging LDP. The scoping exercise identified the key sustainability issues for the plan area and established a baseline for the Vale of Glamorgan. As part of this review the scoping exercise identified 10 sustainability objectives against which the LDP would be assessed. Stakeholder workshops took place in October 2006 to inform the SA Objectives and public consultation on the SA Scoping Report took place from 2th February and the 19th March 2007. The approved Scoping Report was attached at Appendix 3 of the Sustainability Appraisal Report (September 2013).

Vision and Objectives – Initial Sustainability Appraisal Report (December 2007)

- 3.14 The vision and strategic objectives set out the scope and aspirations for the LDP. As the Vision is an overarching succinct statement, containing social, economic and environmental elements a strategic assessment of the sustainability implications of the draft Vision was undertaken as part of the Initial Sustainability Appraisal Report attached at Appendix 7 of the Sustainability Appraisal Report (2013).
- 3.15 The SA highlighted that the Visions’ aspiration for people to be able to enjoy a high quality of life in a safe environment, providing opportunities to improve health, prosperity and well-being for individuals and the wider community was strongly

compatible with the key sustainability objectives for reducing the causes of deprivation and encouraging social inclusion (e.g. housing, local job opportunities and improving access). Similarly, the SA indicated a direct relationship with the SA objectives for maintaining, protecting and enhancing community spirit.

- 3.16 The appraisal identified a number of uncertain outcomes relating to the SA objectives for climate change and waste minimisation. This is considered inevitable given that the economic aspect of the vision would require new development to take place, thus involving increased use of natural resources and energy. The SA suggested that these issues should be considered further in the development of LDP policies.

Spatial Options – Options Appraisal Report (November 2007)

- 3.17 To assist the Council in determining the LDP strategy, an appraisal of the various spatial options was undertaken as a part of the SA process (SA Task B3 of Stage B of the ODPM SA guidance). This appraisal was based on the SA objectives developed at the scoping stage.
- 3.18 The SA process considered 9 spatial options for future development across the Vale of Glamorgan (Options 1, 2a, 2b, 3, 4, 5, 6, 7 and 8). Details of the SA are contained within the Options Appraisal Report (November 2007) which were later incorporated into the Initial Sustainability Appraisal Report contained at Appendix 7 of the Sustainability Appraisal Report (September 2013). The appraisal of the strategy options highlighted a number of sustainability issues and these findings along with other background evidence informed the Council's considerations in determining the LDP Draft Preferred Strategy (December 2007).

Draft Preferred Strategy – Initial Sustainability Appraisal Report (December 2007)

- 3.19 A six week public consultation on the Draft Preferred Strategy (DPS) and Initial Sustainability Assessment (ISA) was carried out between the 16th January 2008 and the 27th February 2008. The LDP Draft Preferred Strategy set out the Council's strategic priorities for development between 2011 and 2026 and the preferred spatial strategy for the LDP. The identification of the Draft Preferred Strategy involved the consideration of 9 alternative spatial strategy options that could provide the direction for future development within the Vale of Glamorgan over the Plan period. The findings of the SA were incorporated into an Initial Sustainability Appraisal (ISA) Report (December 2007), which also included the SA of the LDP vision and strategic policies for the LDP.

Revised Options Appraisal Report (March 2009) including hybrid Option 8a

- 3.20 As a result of the public consultation on the ISA report, a further spatial strategy option (Option 8a) was presented as an alternative to the Council's Preferred Strategy (Option 5) as a hybrid spatial strategy including a new settlement at Llandow. The Council subsequently undertook a further SA of each option including the further hybrid option (option 8a). At this time, the Council received independent advice from SA consultant Riki Therivel, and subsequently refined the SA methodology to provide further insight into the sustainability of each option. The refinement of the SA framework, allowed the Council to fully consider the secondary,

synergistic and cumulative outcomes of each option and to identify appropriate mitigation measures.

- 3.21 While a number of different outcomes were reached following the refinement of the SA methodology, the undertaking of this second appraisal reaffirmed the Council's view that Option 5 was the most appropriate spatial framework for addressing the economic, social and environmental issues affecting both the urban and rural Vale over the LDP period. Details of the Revised Options Appraisal Report (March 2009) are contained in Appendix 9 of the Sustainability Appraisal Report (September 2013).

The Assessment and Selection of Sites

- 3.22 The assessment and identification of sites was undertaken in accordance with the Council's detailed site assessment methodology and appraisal criteria. The three stage site assessment methodology was developed in order to enable the Council to assess potential site allocations against a number of planning, environmental, physical and deliverability criteria. The final stage of the assessment process saw those candidate sites passing through stage 2 being subject to a more detailed planning assessment and Sustainability Appraisal in order to determine how each candidate site performed against the SA Framework. The details of the candidate site assessment process, including site sustainability appraisal, are contained within the Findings of the Site Assessment Process Background Paper (September 2013).

SA of the 2012 Deposit LDP and Council Decision not to progress the Plan

- 3.23 Formal public consultation on the Deposit LDP and the SA report took place between the 20th February and 2nd April 2012. However, Local Government elections were held on the 3rd May 2012 which resulted in a new administration in the Vale of Glamorgan Council. In response to the representations received on the Deposit LDP the new administration held a review of the Deposit LDP and on 23rd January 2013, the Council resolved that the Deposit LDP approved by Council on 25th January 2012 was not progressed and that work commenced on a replacement Deposit LDP (Council Minute No 771 refers). The Sustainability Appraisal Report (September 2013) contains a summary of the original 2011 assessment and details of the reassessment and changes to policies in the 2013 Replacement Deposit Plan were relevant.

SA of the Replacement Deposit LDP

- 3.24 Following the decision of the Vale of Glamorgan Council not to progress with the 2012 Deposit LDP a new Deposit Plan was prepared. A revised Sustainability Appraisal Report (September 2013) was prepared which documents the key changes to policies and the assessments from the previous 2012 Deposit Plan. The statutory public consultation on the 2013 Deposit LDP and Sustainability Appraisal Report (September 2013) was undertaken between the 8th November 2013 and the 20th December 2013. The Deposit LDP SA Report can be found on the Council's website and in the Examination Library and as Submission Document SD09.

SA of the Focused Changes

- 3.25 Having considered the various representations received during the Deposit Plan public consultation, a number of Focused Changes were proposed to the Deposit Plan. The Focused Changes were set out in the Schedule of Focused and Minor Changes Schedule (2015) and a six week public consultation period took place from 24th July to 4th September 2015. The Schedule of Focused and Minor Changes (2015) can be found on the Council's website and in the Examination Library referenced as submission document SD05. The SA Report Addendum (2015) contains the sustainability appraisal of the Focused Changes and is referenced as document SD10.

LDP Examination / Matters Arising Changes / Further Matters Arising Changes

- 3.26 In response to agreed action points at Examination hearing sessions 1-22, the Council published a series of Matters Arising Changes (MACs) for public consultation between 16th September and 28th October 2016.
- 3.27 Following four additional hearing sessions, the Council proposed Further Matters Arising Changes (FMACs) and these were consulted upon between 17th February and 31st March 2017.
- 3.28 Additional Sustainability Appraisal Report addendums and the Habitats Regulations Assessment Reports were prepared alongside the MACs and FMACs which formed part of the public consultation. The MAC Sustainability Appraisal Report Addendum (2016) is available on the Council's website and the Examination Library referenced as examination document ED58 and the FMAC Sustainability Appraisal Report Addendum (February 2017) is also available referenced as document ED76. With regard to the proposed changes the Inspector notes that *"I am satisfied that these changes are in line with the substance of the overall Plan and its policies, and that they do not undermine the Sustainability Appraisal (SA) and the other participatory processes that have been undertaken"* (Inspector's report paragraph 1.5).

Adopted LDP

- 3.29 The SA of the Adopted Plan is the final stage of the process. It brings together the Deposit Plan SA together with the SA addendum documents and sets out the monitoring proposals. The Inspector's Report includes three Inspector proposed changes (IMACs) which are acknowledged in the final report. Due to the minor nature of the Inspector's changes these do not undermine the findings of the Sustainability Appraisal process undertaken as set out in the Inspector's report.
- 3.30 The integration of environmental considerations into the LDP has, therefore, been undertaken progressively and iteratively as the Plan has developed. The Scoping Report ensured that the sustainability issues most relevant to the Plan area were identified; and the Strategy and individual policies have been appraised against the framework of Sustainability Objectives. In this respect, the Inspector's Report states that: *"The Plan has been subject to SA, incorporating Strategic Environmental Assessment (SEA). The SA provides a summary of the strategic alternatives considered, including reasons why they were not selected."* The Inspector also notes that: *"Changes arising from the examination process have also been subject to SA"*

SEA. I am satisfied that the SA/SEA process undertaken is robust and that it satisfies both the procedural and legal requirements (paragraph 2.3 of the Inspector's report).

- 3.31 Furthermore, with regards to Habitats Regulations Assessments the Inspector states that *"In accordance with the Habitats Directive a Habitats Regulations Assessment (HRA) of the Plan has been undertaken and reviewed as necessary in light of the changes put forward during the examination"*. Having considered the Plan and the Appropriate Assessment (AA) the Inspector concluded that *"I am satisfied that the implementation of the Plan would not result in any significant effects upon the integrity of the European sites within the Plan area or adjacent areas, either alone or in combination with other plans or projects"* (paragraphs 2.4 and 2.5 of the Inspector's report).

How opinions expressed in relation to the consultations on the Plan and environmental report have been taken into account

- 3.32 Public consultation is a key component of the SA/SEA process and consultation for the SA/SEA of the Vale of Glamorgan LDP has been 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).
- 3.33 For SA/SEA there is a statutory requirement to consult the relevant named bodies with environmental responsibilities namely Natural Resources Wales and Cadw. In addition consultation should be undertaken with the public and a wider range of interested stakeholders. In this respect, the Council's Delivery Agreement and Community Involvement Statement identified other relevant specific and general consultees in addition to others who had requested to be consulted and who were contained on the Council's LDP consultation database.
- 3.34 Consultation with the full range of stakeholders was undertaken at the following key stages:
- SA/SEA Scoping (2007);
 - SA/SEA Pre Deposit Proposals (2008);
 - SA/SEA of Deposit LDP (2013);
 - SA/SEA of MACs (2016); and
 - SA/SEA of FMACs (2017).

How the results of any trans-boundary consultation have been taken into account

- 3.35 No trans-boundary issues were raised through the SA process.
- 3.36 The Habitat Regulations Assessment of the LDP considered the effects of the LDP beyond the Vale of Glamorgan 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.

The reasons for choosing the Plan as adopted in the light of the other reasonable alternatives dealt with

3.37 In order to inform the LDP Strategy, the Council developed 6 initial spatial options which were considered to provide feasible alternatives for the location of future development within the Vale of Glamorgan. A further 3 hybrid options were added following stakeholder workshops held in May 2007. Full details of the SA of these strategy options is contained in the LDP Sustainability Appraisal Options Appraisal Report (November 2007) which is attached at Appendix 6 of the Sustainability Appraisal Report (2013) referenced as submission document SD09. The strategy options considered were as follows.

Council Strategy Options

- **Option 1:** Maximising the potential of and concentrating growth in Barry, Penarth, Dinas Powys, Sully and Rhoose (current UDP strategy - the business as usual scenario).
- **Option 2a:** Dispersal of housing and employment opportunities based on the current population of each settlement (without a sustainability test).
- **Option 2b:** Dispersal of housing and employment opportunities based on the current population of each settlement (with a sustainability test).
- **Option 3:** Higher growth in the larger villages in rural areas (e.g. Llantwit Major, Cowbridge, St. Athan, Rhoose and potentially others to be identified).
- **Option 4:** A rural new settlement able to promote sustainable self - containment.
- **Option 5:** Concentrate development opportunities in Barry and the South East Zone. The St. Athan area to be a key development opportunity. Other sustainable settlements to accommodate further housing and associated development.

Stakeholder Hybrid Options

- **Option 6:** A hybrid of option 1 and Option 4: Maximising the potential of and concentrating growth in Barry, Penarth, Dinas Powys, Sully and Rhoose (current UDP strategy) as well as developing a new rural settlement to promote sustainable self-containment.
- **Option 7:** A hybrid of options 2b and 5. Concentrate development opportunities in Barry and the South East Zone. The St. Athan area to be a key development opportunity. Other sustainable settlements to accommodate further housing and associated development based on a sustainability test. (Based on current populations).
- **Option 8:** A hybrid of options 5 and 4. Concentrate development opportunities in Barry and the South East Zone. The St. Athan area to be a key development opportunity. Other sustainable settlements (including a new rural settlement) to accommodate further housing and associated development.

3.38 As a result of public consultation on the Council's Draft Preferred Strategy and the Initial Sustainability Appraisal (ISA) Report (December 2007), a further spatial strategy option (option 8a) was presented as a further hybrid alternative to the

Council's Draft Preferred Strategy (option 5). Full details of the revised Sustainability Assessment of all options, including the further hybrid option 8a, is contained in the Revised Options Appraisal Report (March 2009) attached at Appendix 9 of the Sustainability Appraisal Report (September 2013). The further hybrid option is set out as follows:

Option 8a: (Combination of option 5 and a new rural settlement at Llandow): Concentrate development opportunities in Barry and the South East Zone. The St. Athan area to be a key development opportunity. Other sustainable settlements (including a new rural settlement at Llandow known as Llandow Newydd) to accommodate further housing and associated development.

- 3.39 In order to achieve the Vision and Objectives of the LDP, the Council chose to adopt and implement Option 5 as the LDP Strategy as it was considered the most appropriate spatial framework for addressing the economic, social and environmental issues affecting both the urban and rural Vale over the Plan period. In this respect, the strategy was considered to maximise the delivery of benefits to both the urban and rural areas of the Vale of Glamorgan, provide housing in areas of need, maximise the reuse of previously developed land and fully support the Plans overall objectives as set out in the Sustainability Appraisal Report (September 2013).

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

- 3.40 Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended) requires that the Council prepare, and subsequently submit to Welsh Government, an Annual Monitoring Report (AMR). This is required to monitor specific items, as well as identifying where and why policies of the Plan are not being implemented as intended.
- 3.41 In addition, Regulation 17 of the SEA Regulations requires that the Council must monitor the most significant effects of the Plan. Therefore, monitoring the Plan and its significant environmental effects are statutory requirements and will be undertaken through the AMR process.
- 3.42 The Monitoring Framework, as set out in Section 9 of the Adopted LDP, provides the basis for measuring policy performance and also cross references relevant Sustainability Objectives. In this respect, the implementation of the LDP will be monitored with appropriate regard to the objectives and outcomes of the SA/SEA.
- 3.43 Monitoring the Plan and its significant environmental effects are statutory requirements that will be undertaken through the AMR. The first AMR will be submitted to Welsh Government by 31st October 2018.

Further Information

- 3.44 If you have any queries or would like further information please contact a member of the LDP team on 01446 700111 or by emailing LDP@valeofglamorgan.gov.uk.