

ADVISORY PANEL MEETING – 30/04/2009

Report on JACOBS' responses to the SA Scoping Report consultation representations

Background

The requirement to undertake an SA is an integral part of the process of plan preparation and is mandatory under the Planning and Compulsory Purchase Act 2004. The SA Scoping Report is the first stage of an integrated SA/SEA process which will examine the LDP for its impact on environmental, social and economic matters within the County.

An introductory report on the SA was provided to the Advisory Panel on the 17 December 2008 (this report was also reported to the Council's Executive Board on the 16 March 2009). The report provided Members with copies of all of the consultation responses received in respect of the SA Scoping Report Consultation period that ran from the 3rd September 2008 to the 8th October 2008. In accordance with the resolutions of the Advisory Panel, all of the consultation responses were duly forwarded to the Authority's appointed SA-SEA consultants for their appraisal. Members will be aware that the SA-SEA is being undertaken by JACOBS Ltd.

The primary purpose of this report is to provide Members with sight of JACOBS' response to the SA consultation responses received. JACOBS have undertaken to formulate a response to every representation received and these responses are provided within the table overleaf.

Members will note that the SA Scoping Report has underpinned the development of the pre deposit Technical Papers and that the SA will also play a prominent role in appraising the social, economic and environmental sustainability of the Preferred Strategy in due course. It is also intended to convene a meeting of Technical Officers (from within and outside of the Authority) in due course.

Recommendations

- (1) That JACOBS' responses to the representations received during the SA Scoping Report consultation period be accepted
- (2) That JACOBS' responses to the SA Scoping Report representations received during the SA Scoping Report consultation period be placed on the Corporate Website

Carmarthenshire LDP SA/SEA

Table of Consultation Responses from Scoping Report and Actions for Stage B SA/SEA

Doc Code	Respondent	Comment	Action Required in SA/SEA	Incorporation of comments into SA Stage B Environmental Report	Commentary/Justification
1	CCC Biodiversity Officer	Document should list how biodiversity could be impacted by various types of development. Consider direct and indirect impacts.	N	N/A to Scoping Report	SA Environmental Report (ER) will assess the effects of the LDP.
		Include a section on the NERC Act 2006 and the duties it imposes on Local Authorities.	Y	Include NERC Act 2006 in the PPP review/baseline section of ER	
		Assess the plan under the Habitat Regulations 1994 in parallel with SA/SEA	Y	The ER will include a section on Appropriate Assessment.	
		<i>Specific Comments</i> A number of suggested wording/grammatical changes were described.	Y	Identified typographical errors, grammatical changes incorporated into SA ER	
		Addition of Cors Goch to list of NNRs. Changes to list of habitats and species in the Local BAP.	Y	Baseline information amended.	
		Expansion of PPP review documents	Y	Ramsar Convention 1971 added to PPP review	Decision taken to include International level legislation only. Considered that national regulations need not be reviewed in detail given level of coverage in higher level legislation and plans.
		SA Objective 2-2 to be changed to 'To protect, enhance and create wildlife habitats and wildlife corridors in urban and rural areas'.	Y	Objective updated	

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		Indicator: change to ' <i>% of SAC and SSSI sites and their features in favourable condition</i> '	Y	Indicator updated	
		Decision Making Criteria: Add 'Are there any BAP/Section 42 habitats/species that may be affected by the LDP?'	Y	Decision-making criteria updated	
2	Cadw	Include Historic Parks and Gardens into Decision Making Criteria. ' <i>Are there any historic landscapes or historic parks and gardens that can be affected by the LDP?</i> '	Y	Decision-making criteria updated	
		Include number of Listed Buildings in Carmarthenshire and the number of non-scheduled known archaeological resources.	Y	Baseline data updated	
3	Planning Liaison – Environment Agency	Refer to Planning Policy Wales Add surface water flooding to Key issues Refer to previously used land for development Need to address cockle decimation issue in the Burry Inlet/Estuary	Y	All items updated as recommended.	
4	RSPB Cymru	Identify areas of concern in the baseline information for all topics to improve consistency.	N	Areas of concern drawn out in the Key Issues and Challenges section	
		Amend baseline information to reflect the reason for the lack of designation of SINC and to include UKBAP and species under S42 of NERC Act 1996	Y	Baseline data updated	
		Amend species listed in the LBAP and	Y	Baseline data updated	

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		include reference to RSPB Key Areas for Birds			
		Describe settlement pattern in Carmarthenshire and its relationship to climatic factors	Y	Baseline data updated	
		Refer to WAGs 'aspirations' for the generation of renewable energy as 'binding targets'	Y	Baseline data updated	
		Expand the information provided in the Key Issues and Challenges table for biodiversity and climate change.	Y	Table amended	
		Make amendments to Objectives 4-3, 4-4 and 4-5.	Y	Objectives amended	
		Expand indicators to include:- Status of habitats and species listed on the NERC Act and SINC Reference to SPAs in indicator 6 An indicator the captures the need to maximise opportunities to manage land for biodiversity and climate change (e.g. upland peatland management)	Y	Indicators amended	
		Change objective 4-1 to ' <i>to deliver a significant reduction in greenhouse gases</i> '.	Y	Objective amended	
5	Wales ECO Centre	Include the following documents in the PPP review :-	N/A	PPP Review not updated	Climate change agenda considered to be adequately covered by the PPP review

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		<p>Welsh Commitment to Climate Change Further Consultation on the draft MIPPS on Planning for Climate Change Upcoming Energy efficiency and Savings Plan (end 2008) One Wales Zero Carbon new Build for Wales by 2011 Code for Sustainable Homes EU Directive in the promotion of combined heat and power</p>			
		<p>Baseline – include Defra 2006 values of carbon dioxide emissions Include information on current public and private housing stock condition and energy performance Include statistics on fuel poverty</p>	Y	Baseline information expanded.	
		<p>Sustainability Issues – put more emphasis on energy, building local resilience and carbon neutrality.</p>	Y	Information amended	
		<p>Include the concept of 'peak oil' and the urgency of reducing the demand for energy.</p>	Y	Information amended	
		<p>Sustainability Objectives – refer to the Code for Sustainable Homes not ECO Homes.</p>	Y	Information amended	
		<p>Seek to reduce carbon emissions from the existing building stock through the LDP.</p>	N	N/A	Comment forwarded to CCC for consideration for including such intentions as a policy in the LDP

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		<p>Indicators - Expand indicators relating to climate change to include:-</p> <p>Homes applying for planning permission for renewable microrenewables</p> <p>Homes installing microrenewables</p> <p>Average SAP rating of housing</p> <p>No of town/community based carbon reduction projects</p>	Y	Indicators expanded	
6	CCW	<p>Baseline</p> <p>Include maps to illustrate the environmental setting of Carmarthenshire</p>	Y	Baseline maps to be included in the ER	
		<p>Full SEA Scoping Document is effectively the same document as the non-technical summary.</p>	N	N/A	SEA Scoping Document is considerably longer than the NTS. The Scoping document includes the NTS.
		<p>Include reference to the Habitats Regulations Assessment</p>	Y	Appropriate Assessment will be included in the ER	
		<p>Expand the PPP review; particularly draft CFMPs, Carmarthen Bay SMP and Western District RBMP</p>	Y	Amendments to PPP review	The PPP review was expanded to include new/emerging documents and to supplement sustainability issues that may be under-represented in the PPP review. It is not feasible for all plans, policies and programmes to be included.
		<p>Consider the importance of biodiversity in areas that are not protected and wildlife corridors</p>	Y	Information amended	
		<p>The condition of the Carmarthen Bay and Estuaries SAC and Burry Inlet SPA are being reassessed and are</p>	Y	Baseline information amended.	

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		likely to be classified as being in unfavourable status			
		Include areas under direct and indirect management schemes including agri-environment schemes, TPOs and hedgerow preservation orders	N	N/A	This level of detail is considered too fine a scale to be included at the strategic level
		Make a stronger link between climate change and effects on biodiversity.	Y	Baseline information amended.	
		Air Quality – consider effect of ground level ozone	N	N/A	It is considered that this is already covered in the Scoping Report.
		Climatic Factors – include flood maps	Y	Baseline information amended.	
		Water – refer to forecasts on supply and demand of water and include additional information on water quality with respect to specific areas with water quality issues	Y	Baseline information amended	
		Include further information on the locations of assets such as coal reserves, minerals, aggregates, energy and water infrastructure.	Y	Baseline information amended	
		Include additional information on recycling targets and trends for waste.	N	N/A	Sufficient information is considered to be included given the content/likely impacts of the LDP.
		Include reference to alluvium gravel deposits in the Tywi floodplain.	Y	Baseline information amended	
		Consider using Landmap, Seascape Assessment and Landscape Characterisation maps to determine visual quality and condition in Carmarthenshire. Devise objectives to	Y	Objectives and baseline information amended.	

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		maintain and enhance the character and distinctiveness of protected and unprotected landscapes.			
		Refer to Conservation Areas identified in the UDP and Tranquillity Maps for Wales.	Y	Baseline information amended	
		Key Issues and Challenges Consider biodiversity in the round, i.e. the needs of wider biodiversity and wildlife species and connectivity between protected sites etc.	Y	Information amended	
		Include the aim to climate proof existing development.	~		Jacobs to discuss the scope of including this recommendation as a policy in the LDP.
		Amend objective 4.1 to read ' <i>to reduce the need for energy whilst encouraging and increasing the use of renewable energy sources.</i> '	N	Objective not amended	An objective looking solely at reducing greenhouse gases is relevant. Objectives have already been specified to increase the use of renewable energy sources.
		Consider the role of soil further in flooding and carbon sequestration.	~		This issue has been raised as a key issue in the SA particularly in relation to carbon sequestration. This issue will be taken forward to the SA/SEA ER.
		Refer to the need to control/remediate diffuse air pollution not just diffuse agricultural pollution.	~		Diffuse air pollution is typically not a significant issue in Carmarthenshire, however this will be taken forward as an issue to the SA/SEA ER.
		Clarify the term ' <i>sites of landscape value.</i> '	Y	Term clarified	
		Sustainability Appraisal Framework Review the suite of indicators and ensure that they are relevant to the plan under scrutiny and capable of measurement. Suggest inclusion of	Y	SA indicators amended accordingly.	Two suites of indicators will be developed; those that monitor the environmental baseline and those that are intended to monitor the effects of the plan.

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		the following indicator:- <i>'Number of homes/roads/development approved within floodplain areas or coastal flood zones.'</i> Strengthen the objectives and indicators in respect of seeking to protect and enhance the character and distinctiveness of the Carmarthenshire landscape.			
7	CCC SA Officer	No major comments. Consider adding neighbouring authorities' LDPs into the PPP review.	N	N/A	Jacobs to consider the inclusion of such documents. SA reports of such documents would be required to take account of the likely effects of these plans in combination with the effects of the Carmarthenshire LDP. Transboundary effects and in-combination effects will be discussed in the ER.
8	Wildlife Trust of South and West Wales Welsh Wildlife Centre	Expand the PPP review, particularly the Nature Environment and Rural Communities (NERC) Act 2006.	Y	Amendments to PPP review	The PPP review was expanded to include new/emerging documents and to supplement sustainability issues that may be under-represented in the PP review. It is not feasible for all plans, policies and programmes to be included.
		Baseline Include Cors Goch (Llanllwch) NNR	Y	Amendments to baseline	
		Sustainability Issues and Problems Reference the NERC Act. Consider including the objective <i>'to improve access and hence allow the county's population to access, enjoy and understand the local natural heritage.'</i>	Y	Information amended	
		Include more positive wording within the objectives; <i>'An increase in the</i>	Y	Objectives amended	

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		<i>climate resilience of new developments</i> . Include an objective such as <i>'to reduce or eliminate further loss of high-carbon soils such as peat to development</i> .			
		Include an objective of <i>'Delivering a robust ICT/broadband system to reduce travel, meet local needs and reduce resource use.'</i>	~		Jacobs to discuss with CCC whether the delivery if ICT is a component/relevant objective to the LDP.
		SA/SEA Framework Consider using the status of SAC and SSSI Include all greenhouse gases in the decision making criteria for climatic factors, not just carbon dioxide	Y	SA/SEA Framework updated	
9	Llanelli Town Council	Key Issues – Water Make reference to the serious problem posed by an inadequate sewerage system and sewerage disposal system in Llanelli and other parts of the county which has resulted in the regular discharging of sewerage into the Loughor Estuary and the Towy River which is now prejudicing present and future development in Llanelli.	Y	Key issues updated	
		Key Issues – Education and Skills The influx of a large foreign migrant population into the county should be acknowledged and the implication that this has on education skills and	Y	Baseline information updated	Jacobs to discuss with CCC whether the LDP will include specific provisions to respond to such identified trends.

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		requirements.			
10	Cllr Sian Caiach	<p>Key Issues</p> <p>Omission of mention of nutrient enrichment in Loughor /Burry Inlet/Carmarthen Bay from the discharge of storm sewerage drainage and the effect this has on cockle mortality and associated implications for species such as oystercatcher that feed on them.</p>	Y	Included as a key issue in the SA/SEA ER	
11	SWWITCH	<p>Air Quality – the SA/SEA should note that there are some areas in the county where air quality is becoming an issues with the potential for standards to be breached in the next 5 years in relation to road and transport emissions.</p> <p>Material Assets SA Objective – replace the word ‘<i>promote</i>’ with ‘<i>encourage</i>’</p> <p>Economy – refer to the inability of non car owners to access jobs and training by sustainable means in decision-making criteria</p>	Y	Identified issues and recommended changes incorporated into the SA/SEA ER.	
12	White Young Green on behalf of National Grid	No specific representation at this time, although NG wish to consult on all future planning policy documents.	N/A	N/A	N/A
13	Equality and Human Rights	Unable to respond.	N/A	N/A	N/A

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	Commission				
14	NPower Renewables	Sustainability Appraisal Framework Include an indicator relating to the number of installed mega watts of renewable energy capacity within Carmarthenshire	Y	Suite of indicators updated accordingly.	
15 and 16	Kathy Start	Include provision within the LDP and SA/SEA to ensure that households have the means to grow their own food within walking or cycling distance from their home. Amend issues/challenges and objectives accordingly	~		Jacobs to discuss with CCC the relevance to the LDP of including a policy that new builds should include a minimum house:garden ratio to encourage food requirements to be met locally or the inclusion of allotment space in green wedges.
		Include a discussion of the extent of home-grown food in the environmental baseline.	Y	Baseline information amended	
17	Peter Protheroe and Robin Cammish, Bont Farm	Recognise agriculture as having an important economic value in the county	Y	Baseline information amended accordingly.	The additional comments raised by the respondents have been considered, but are not directly relevant to the SA/SEA.
18	David Foot	PPP Review Include the work of the Local Access Forum and the Rights of Way Improvement Plan. Include the European Landscape Convention	Y	Amendments to PPP review	The PPP review was expanded to include new/emerging documents and to supplement sustainability issues that may be under-represented in the PPP review. It is not feasible for all plans, policies and programmes to be included.
19	City and County of Swansea; Bryan Graham, Head of Planning	PPP Review Include a review of the development plans of neighbouring authorities to assess the environmental significance of any potential transboundary issues	~		Jacobs to consider the inclusion of such documents. SA reports of such documents would be required to take account of the likely effects of these plans in combination with the effects of the Carmarthenshire LDP.

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	Services	and in-combination effects.			Transboundary effects and in-combination effects will be discussed in the ER.
		<p>Baseline Focus more data on Carmarthenshire and the Carmarthenshire BAP. Identify any links between elevated levels of ground-level ozone and health and well-being. Include bathing water quality including the number of blue flag beaches and level of compliance with EC Bathing Water Directive.</p>	Y	Baseline information amended accordingly.	
		<p>SA Objectives Ensure that the SA Objectives reflect the land use nature of the document and that the indicators can be used in monitoring the effects of the plan.</p> <p>Replace Objective 13-3 with '<i>Promote sustainable business in Carmarthenshire</i>'</p>	Y	SA Objectives and indicators amended accordingly.	Two suites of indicators will be developed; those that monitor the environmental baseline and those that are intended to monitor the effects of the plan.
20	Mrs L. Dalton	<p>Key Issues Given the identified issue that the population structure of the county is becoming skewed towards the older age groups, affordable, purpose-built, single storey dwellings should be included on planning applications with 10 or more dwellings, especially in small communities. Consider new housing developments to be built with</p>	~		Jacobs to raise these issues with CCC as these represent potential policy issues rather than considerations for the SA/SEA.

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		<p>a mixture of housing types to foster a more integrated community.</p> <p>The location of local employment opportunities would enable young people to buy affordable dwellings.</p>			
21	Mrs A. Jones	<p>Other comments Use the LDP to restore empty and dilapidated houses.</p>	~		<p>Jacobs to raise this issue with CCC as these represent potential policy issues rather than considerations for the SA/SEA.</p> <p>The additional comments raised by Mrs Jones have been considered, but are not directly relevant to the SA/SEA.</p>
22	Mr G. Williams	<p>PPP Review Include the Carmarthenshire Rights of Way Improvement Plan</p>	Y	Amendments to PPP review	The PPP review was expanded to include new/emerging documents and to supplement sustainability issues that may be under-represented in the PPP review. It is not feasible for all plans, policies and programmes to be included.

