

# Public Document Pack



Rory Ringer – Democratic Services Manager  
General Enquiries: Telephone No. 01362 656870  
DX743950 Dereham 2

To The Members of the Council

Contact: Julie Britton  
Direct Dial: 01362 656343  
E-mail: Julie.britton@breckland.gov.uk  
Date 18 September 2023

## **AGENDA SUPPLEMENT**

Dear Sir/Madam

### **COUNCIL - THURSDAY 21 SEPTEMBER 2023**

I refer to the agenda for the above-mentioned meeting and enclose the following additional information in respect of Agenda item 9:

<b>Item No</b>	<b>Report Title</b>	<b>Page Nos</b>
<b>9.</b>	<b>Breckland Local Plan: Partial Update</b>  Report of Cllr Sarah Suggett, Deputy Leader & Executive Member for Strategic and Operational Planning.  The Sustainability Appraisal Adoption Statement has been prepared in accordance with Regulations This statement outlines how environmental considerations have been integrated into the Local Plan Partial Update, how the Sustainability Appraisal has been taken into account, how consultation responses have been taken into account, the reasons for choosing the adopted Local Plan policy in light of alternative options and the measures that will be taken to monitor the effects of the new Local Plan.	<b>2 - 8</b>

Yours faithfully

*Julie Britton*

Democratic Services Officer



**Breckland Local Plan Partial Update  
Integrated Assessment**

**Post Adoption Statement**

**Breckland District Council**

**September 2023**

## **Contents**

1	Introduction .....	3
2	Legislative background .....	3
3	How the environmental considerations have been integrated into the Local Plan Partial Update .....	4
4	How the environmental report has been taken into account.....	5
5	How consultation representations have been taken into account.....	6
6	The reasons for choosing the plan or programme as adopted.....	6
7	The measures that are to be taken to monitor the implementation of the Local Plan Partial Update .....	7

## **1 Introduction**

- 1.1 This document provides the Sustainability Appraisal Adoption Statement for the Breckland Local Plan Partial Update 2023 (Partial Update), which was adopted on 21<sup>st</sup> September 2023 by Breckland District Council (*Council approval pending at time of drafting*).
- 1.2 The Breckland Local Plan Partial Update introduces an amendment to the Breckland Local Plan 2019, that sets out a strategy for delivering the homes, jobs and infrastructure needed in the district between 2011 and 2036. Policy INF 03 of the Breckland Local Plan 2019 included a requirement for the Council to undertake a Partial Review of the Plan with regards to:
  - Housing supply,
  - Non-travelling gypsy and travellers,
  - Accessibility of homes standards, and
  - Economic development.
- 1.3 Policy INF03 set out that a plan review related to these matters would be submitted to the Secretary of State for examination by November 2022. Following this date, the relevant policy regarding the above matters would be deemed to be out-of-date.
- 1.4 The purpose of the Partial Update adopted in 2023 is to amend only Policy INF03 and its supporting text. This is necessary to ensure that policy regarding the matters set out above do not become out-of-date solely as a result of existing Local Plan policy.
- 1.5 An Integrated Assessment (IA), incorporating Sustainability Appraisal, Equality Impact Assessment and Health Impact Assessment was undertaken at each stage of preparation of the Partial Update to the Breckland Local Plan. The purpose of this was to ensure that the environmental, social and economic issues arising from the proposed amendments to INF03 were considered throughout the development of the Partial Update.
- 1.6 The purpose of this Adoption Statement is to satisfy the legislative requirements of the Environmental Assessment of Plans and Programmes Regulations (and requirements of Directive 2001/42/EC) as retained by the Withdrawal from the European Union Act 2020.

## **2 Legislative background**

- 2.1 European Directive 2001/42/EC on the assessment of the affects of certain plans and programmes on the environment (“the SEA Directive”) states that a Strategic Environment Assessment (SEA) is mandatory for plans prepared for town and country planning and land use purposes. The SEA Directive is transposed into UK law (and currently retained following exit from the European Union) through the Environmental Assessment of Plans and Programmes Regulations (2004), which requires the SA of local development plan documents.
- 2.2 The Town and Country Planning (Local Planning) Regulations (2012) (as amended) states that a SA report must be completed for Local Plan documents in accordance with section 19(5) of the Planning and Compulsory Purchase Act (2004). In accordance with these regulations, SA< incorporating SEA was

undertaken as part of the preparation of the Breckland Local Plan Partial Update 2023.

- 2.3 Article 9 of the SEA Directive requires that when a plan or programme is adopted, the Council makes available a statement summarising “*how environmental considerations have been integrated into the plan or programme and how the environmental report prepared pursuant to Article 5, the opinions expressed pursuant to Article 6 and the results of consultations entered into pursuant to Article 7 have been taken into account in accordance with Article 8 and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with.*”
- 2.4 This requirement in European law has been transposed into UK law through Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations (2004), which requires the responsible authority to produce a statement containing the following information as soon as reasonably practical after the adoption of a plan or programme:
- a) How environmental considerations have been integrated into the plan or programme.
  - b) How the environmental report has been taken into account.
  - c) How opinions expressed in response to:
    - i. The invitation referred to in Regulation 13(2)(d).
    - ii. Action taken by the responsible authority in accordance with Regulation 13(4), have been taken into account.
  - d) How the results of any consultations entered into under Regulation 14(4) have been taken into account.
  - e) The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
  - f) The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.
- 2.5 The following sections will set out how the Breckland Local Plan Partial Update has been prepared in accordance with these requirements.

### **3 How the environmental considerations have been integrated into the Local Plan Partial Update**

- 3.1 A scoping stage is required as part of the SA or Integrated Assessments. This sets out a framework for how the IA would be carried out. Scoping must, as set out in Annex 1 of the SEA Directive and Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations (2004), consider a range of environmental factors including biodiversity, human health and cultural heritage.
- 3.2 The SA Scoping for the Local Plan partial update is documented in :
- Breckland Local Plan Partial Update IA Scoping Report, August 2022<sup>1</sup>
- 3.3 The Scoping Report looked at a wide range of topic areas and,
- Identified relevant international, national, regional and local policies, plans programmes, strategies and initiatives that would have links and/or effects on the Local Plan Partial Update;

---

<sup>1</sup> [https://www.breckland.gov.uk/media/20360/Partial-Review-Draft-IA-Scoping-Report-August-2022/pdf/Partial\\_Review\\_Draft\\_IA\\_Scoping\\_Report\\_August\\_2022.pdf?m=638071372454100000](https://www.breckland.gov.uk/media/20360/Partial-Review-Draft-IA-Scoping-Report-August-2022/pdf/Partial_Review_Draft_IA_Scoping_Report_August_2022.pdf?m=638071372454100000)

- Set out what the aims and objectives of these relevant plans and policies are;
- Set out what the baseline situation is for Breckland and what the main issues are;
- Suggested how all the above together need to be addressed in the Local Plan;
- Put forward IA objectives that would measure through the IA process how the Local Plan Partial Update affected these issues.

3.4 Through the Scoping Report, ten IA Objectives were derived that were deemed sound indicators to test the Partial Update amendment to INF 03. Those objectives cover social, environmental and economic elements.

3.5 The IA Objectives are:

1. *Ensure all groups have access to affordable, decent and appropriate housing that meets their needs and reduce disparity.*
2. *Promote equality of opportunity, improve health and wellbeing and reduce levels of deprivation and disparity.*
3. *Improve the efficiency, competitiveness and adaptability of the local economy and help people gain access to satisfying work appropriate to their skills, potential and place of residence.*
4. *Improve the quality, range and accessibility of essential services, facilities, green infrastructure and open space.*
5. *Reduce contributions to climate change and localised air pollution and adapt and respond to the implications of a changing climate.*
6. *Protect, conserve, enhance and expand biodiversity and promote and conserve geodiversity.*
7. *To conserve and protect land and soils, minimise the loss of agricultural land, whilst reducing land contamination.*
8. *Maintain, enhance and preserve the distinctiveness, diversity and quality of landscape, townscape and the historic environment.*
9. *Minimise the production of waste and encourage the recycling/reuse of onsite resources.*
10. *Limit water consumption to the capacity of natural processes and storage systems, ensure the sustainable reuse of water to accommodate growth and maintain and enhance water quality.*

3.6 The Environment Agency, Natural England and Historic England were consulted as statutory consultees during the IA Scoping. This ensured that the IA framework addressed the key considerations of other organisations.

#### **4 How the environmental report has been taken into account**

4.1 A revised version of the IA Report (or the “environmental report”) has been prepared at each stage in preparation of the Partial Update.

- Partial Review IA Draft Report – August 2022 to accompany Regulation 18 engagement on the emerging Local Plan Partial Update<sup>2</sup>

---

<sup>2</sup>IA Report – Regulation 18: [https://www.breckland.gov.uk/media/20359/Partial-Review-Draft-IA-Report-August-2022/pdf/Partial\\_Review\\_Draft\\_IA\\_Report\\_August\\_2022.pdf?m=638071371616870000](https://www.breckland.gov.uk/media/20359/Partial-Review-Draft-IA-Report-August-2022/pdf/Partial_Review_Draft_IA_Report_August_2022.pdf?m=638071371616870000)

- Partial Review IA Draft Report <sup>3</sup>– September 2022 to accompany Regulation 19 engagement on the emerging Local Plan Partial Update

4.2 The IA reports considered the proposed amendments to INF03 and the alternative implications of not undertaking the proposed update and considered the potential effects of each approach upon the IA objectives developed.

4.3 Following IA of the Regulation 18 Partial Update in August 2022 the findings of the IA and confirmation that the preferred approach to amend the wording of INF03 informed and supported subsequent Regulations 19 engagement.

4.4 Overall the IA noted that the proposed approach established through the Partial Update would safeguard and retain as up to date key policy to manage the sustainable development of Breckland. An alternative approach that would see the Local Plan become out of date in relation to these matters, led to better outcomes for some IA objectives but cumulatively led to negative effects.

4.5 The conclusions of the IA reports allowed the Council and stakeholder to understand the social, environmental and economic implications of the proposed changes to INF03 and the alternatives were the proposed amendment not carried forward.

## **5 How consultation representations have been taken into account**

5.1 The adopted Local Plan Partial Update was published for two stages of public consultation. At each stage, consultation on the Partial Update was accompanied by an IA report.

5.2 The key stage in initiating the IA process is the Scoping stage, which was consulted upon in its preparation and published alongside the Regulation 18 consultation Local Plan Partial Update. Throughout input has been received, as a minimum from Historic England, the Environment Agency and Natural England with feedback from Norfolk County Council also part of the IA and Plan making process.

5.3 Consultation on IA reports too place alongside consultation on the emerging Plan. The consultation invited all statutory consultees, other key stakeholders and the community to comment. Throughout the various consultation exercises, no substantial concerns or observations were received with regards to either the framework in which IA was carried out or the conclusions and recommendations contained within the reports.

## **6 The reasons for choosing the plan or programme as adopted**

6.1 In accordance with the SEA Directive, it is important when assessing proposals to consider appropriate and reasonable alternatives. All aspects of the Partial Update have been considered as part of the IA, along with alternatives.

6.2 These alternatives focused primarily on the likely effect of not making the proposed changes to INF03. By extension, to not change the policy to prevent matters relating to housing supply, non-travelling gypsy and travellers, accessibility of homes standards, and economic development. Overall, the IA assessment established that the effect of allowing such elements of the existing

---

<sup>3</sup>IA Report – Regulation 19 [https://www.breckland.gov.uk/media/20219/Partial-Review-Draft-Integrated-Assessment-Sept-2022/pdf/Partial Review Draft IA Report September 2022.pdf?m=637998805828670000](https://www.breckland.gov.uk/media/20219/Partial-Review-Draft-Integrated-Assessment-Sept-2022/pdf/Partial%20Review%20Draft%20IA%20Report%20September%202022.pdf?m=637998805828670000)

local plan to become out of date would be detrimental to the sustainable growth and development of the District.

**7 The measures that are to be taken to monitor the implementation of the Local Plan Partial Update**

- 7.1 The SEA Directive requires the significant environmental effects of implementing the plan or programme to be monitored in order to identify unforeseen adverse effects and to be able to undertake remedial action.
- 7.2 Breckland District Council has an established monitoring framework for its current Local Plan that is reported through the Annual Monitoring Report. The Partial Update makes no substantive changes to the areas development requirements, supply of land for development or policy framework – with the exception of removing the principle that certain matters become out-of-date automatically following November 2022. The revised wording to INF03 commits the Council to submitting instead a full review of the Local Plan for examination by December 2024.
- 7.3 As a result the existing monitoring framework – updated to take into consideration the revised target for submission remains appropriate and fit for purpose as a means to assess the ongoing effects of the Local Plan.