

Brecon Beacons National Park Authority

ADOPTION STATEMENT

Local Development Plan | December 2013

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**Brecon Beacons National Park Authority Local Development Plan 2007-2022
Adoption Statement
December 2013**

Planning and Compulsory Purchase Act 2004

The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (Regulation 16).
The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (Regulation 25)
The Environment Act 1995

Background

In accordance with the requirements of Regulation 25(2) of the Town & Country Planning (Local Development Plans) (Wales) Regulations 2005 and Section 16 of the Environmental Assessment of Plans and Programmes Regulations 2004, the Authority is required to prepare an Adoption Statement for the Local Development Plan.

Section I of this statement addresses the requirements of the Town & Country Planning (Local Development Plan)(Wales) Regulations 2005 and Section 2 accords with the requirements of Environmental Assessment of the Plans and Programmes (Wales) Regulations 2004.

Section I Statement of Adoption

- I.1 Section I of this statement has been prepared in accordance with the requirements of Regulation 25(2) of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2005, the Authority is required to prepare an Adoption Statement for the Local Development Plan
- I.2 The Brecon Beacons National Park Local Development Plan 2007-2022 was adopted on 17th December 2013. The Local Development Plan became operative on its adoption.
- I.3 The Brecon Beacons National Park Local Development Plan is the planning policy document for the Brecon Beacons National Park. It sets out key policies and land use allocations that will shape the future of the National Park area and guide development needs up to 2022. The Local Development Plan replaces the Brecon Beacons National Park Authority Approved Unitary Development Plan (2007) and the Brecon Beacons National Park Authority Local Plan (1999).
- I.4 A paper copy of the Local Development Plan, including the Proposals Map is available for public inspection at the National Park Authority Headquarters, Plas Y Ffynnon, Cambrian Way Brecon.

- I.5 Electronic copies are available to view at the following locations:-
- The National Park Visitor Centre, Libanus
 - The Waterfalls Centre, Pontneddfechan
 - All public libraries including the following:- Abergavenny; Ammanford; Aberdare Central; Abersychan; Blaenavon; Brecon; Brynamman; Brynmawr; Crickhowell; Dowlais; Ebbw Vale; Gilwern; Hayon Wye; Hirwaun; Llandeilo; Llandovery; Merthyr Tydfil Central; Pontypool; Rhymney; Talgarth; Tredegar; Ystrad Mynach & Ystradgynlais; And
 - The following Tourist and Information Centres:-Abergavenny ; Brecon & Llandovery
- I.6 The adopted Local Development Plan is also available on the Authority's website at www.beacons-npa.gov.uk
- I.7 In addition to the adopted plan the following documents have been published, and are also available in electronic format at the above locations.
- The Inspector's Report
 - Adoption Statement
 - Sustainability Appraisal Report (Incorporating Habitats Regulations Assessment)
- I.8 A charge will be made for hard copies of these documents.
- I.9 A person aggrieved by the LDP 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 LDP, may, within six weeks from 26th December 2013 make an application to the High Court under Section 113 of the 2004 Act.

Section 2 Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

- 2.1 When a plan is adopted the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 require a statement to be published that provides the following information :-
- i) How environmental considerations have been integrated into the plan or programme
 - ii) How the Environmental Report (the SA/SEA Report) has been taken into account
 - iii) How opinions expressed in relation to the consultation on the plan/ programme and Environmental Report have been taken into account;
 - iv) The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
 - v) The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.
- 2.2 The LDP was also subject to a Habitat Regulations Assessment (HRA), including Appropriate Assessment (AA). The HRA assessed the impacts of the 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 was reported separately.

3.0 How Environmental considerations have been integrated into the Local Development Plan

- 3.1 To ensure that environmental considerations were fully integrated into the plan each stage of the decision making process has been informed by SA/SEA work. These appraisals, along with HRA were undertaken by independent consultants Centre for Sustainability at TRL Ltd. The relevant information at each stage of the plan process is contained within the following complete set of published SA.SEA documentation.

SA SCOPING REPORT September 2008

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) of the Brecon Beacons National Park (BBNP) Local Development Plan (LDP) Scoping Report

Sustainability Appraisal/ Strategic Environmental Assessment of Brecon Beacons Local Development Plan Scoping Report Appendix 1: Baseline Data Report

Sustainability Appraisal/ Strategic Environmental Assessment of Brecon Beacons Local Development Plan Scoping Report Appendix 2: Review of relevant plans, policies and programmes

PRE DEPOSIT STAGE December 2008

Brecon Beacons National Park Local Development Plan Preferred Strategy: Initial Sustainability Appraisal Report

Brecon Beacons National Park Local Development Plan Preferred Strategy: Initial Sustainability Appraisal Report : Non-Technical Summary

DEPOSIT STAGE October 2010

Brecon Beacons National Park Deposit Local Development Plan: Sustainability Appraisal Report (incorporating Strategic Environmental Assessment)

Brecon Beacons National Park Deposit Local Development Plan: Sustainability Appraisal Report: Non-Technical Summary

PRE-SUBMISSION STAGE October 2011

Brecon Beacons National Park Authority Local Development Plan: Focused Changes to the Deposit LDP: Sustainability Appraisal Report Addendum

ADDITIONAL FOCUSED CHANGES STAGE September 2012

Brecon Beacons National Park Authority Local Development Plan: Additional Focused Changes to the Deposit LDP: Sustainability Appraisal Report Addendum

MATTERS ARISING CHANGES June 2013

Brecon Beacons National Park Authority Local Development Plan: Matters Arising Changes to the Deposit LDP: Sustainability Appraisal Report Addendum

3.2 The LDP has also been prepared in accordance with the Statutory Purposes of the National Park (Environment Act 1995). The National Park purposes provide a clear statement of the statutory responsibilities and role of National Park Authorities. These are defined under Section 61 of the Act thus:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the Park
- Promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public

In addition to the above the National Park Authority also has a duty in taking forward these purposes to:

- Seek to foster the social and economic well-being of the local communities within the Park area.

3.3 The National Park purposes underpin the strategy of the LDP, and have provided the focus for defining the Environmental Capacity approach to Sustainable Development adopted within the LDP. The purposes are reflected in the LDP's vision, objectives and in the strategic policies.

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

- 4.1 The SA/SEA Report (Environmental Report) and the LDP were developed in parallel, with each stage of the SA/SEA informing and influencing the progression of the LDP.
- 4.2 *Scoping Stage:* The SA Scoping Report identified a number of issues for the LDP to address these were taken forward to inform the LDP Objectives and Preferred Strategy.
- 4.3 *Pre-Deposit Stage:* An initial assessment was undertaken of the proposed vision and objectives of the LDP against the sustainability issues identified at Scoping Stage. This then fed into the initial assessment of the four Strategic Development Options under consideration. The assessment of the alternatives was then used to inform the NPA of the likely environmental / sustainability effects of each alternative which aided in the decision as to the most appropriate and preferred strategy. A similar assessment was undertaken of the strategic policies. The findings of this assessment demonstrated significant positive effects for key areas of the strategy. Recommendations were made as to how the LDP could maximise its performance against the range of sustainability issues, including policy to maximise sustainable transport forms; encouraging the enhancement of wildlife corridors and avoiding areas of high organic soils in housing allocations. These were incorporated into detailed area of policy making through the drafting of the Deposit LDP.
- 4.4 *Deposit Stage:* Sustainability Appraisal was undertaken on the strategies, policies and site selection of the Deposit LDP. The assessment found that generally the strategy and policy of the LDP would have a likely positive park-wide effect across the range of sustainability topics. Site selection for housing allocation relied heavily on the findings of SA assessment to determine the most appropriate locations for future development. Sites which were shown to have a negative impact on social, environmental and economic sustainability as identified through the SEA process were discounted as housing land options. See *Brecon Beacons National Park Authority Deposit Local Development Plan Final Site Selection (Incorporating SEA/SA)* (September 2010) for further detail.
- 4.5 *Focused Changes:* Representations on the Deposit LDP were considered and a number of changes to the Deposit LDP were identified. These changes, termed Focussed Changes were again assessed through the SA/SEA process. This assessment found that none of the of the proposed changes would have a significant adverse effect upon any of the SA/SEA objectives. As such the NPA had confidence in proposing the changes in the interest of improving the sustainability objectives underpinning the LDP.
- 4.6 *Additional Focused Changes* In order to address some issues raised during the Exploratory Meeting the NPA proposed further additional changes to the LDP. These were again assessed

through the SA/SEA process. Again the assessment found that none of the of the proposed changes would have a significant adverse effect upon any of the SA/SEA objectives. As such the NPA had confidence in proposing the changes in the interest of improving the sustainability objectives underpinning the LDP.

- 4.7 *Matters Arising Changes* The Authority proposed a series of further changes in response to matters raised through the examination process by the Inspector and participants at the hearing sessions. These were termed Matters Arising Changes and were subject to formal public consultation. The Matters Arising Changes formed the basis of the Schedule of Matters Arising Changes set out in Appendix A of the Inspectors Report. In recommending the Matters Arising Changes the Inspector took into account the SEA/SA matters and concludes that the changes do not undermine the sustainability objectives set out in the SA. The complete findings of the Inspector are included in the ‘Report on the Examination into the Brecon Beacons National Park Local Development Plan up to 2022’

5.0 How opinions expressed in relation to the consultations on the plan/programme and Environmental Report have been taken into account

- 5.1 The SA/SEA report has been subject to three consultation processes and has been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations.
- 5.2 **SA SCOPING- INVOLVEMENT OF STATUTORY CONSULTEES – COMPLIANCE WITH REGULATION 12 (5 AND 6) OF SEA REGULATIONS**
The Scoping Report was issued for public consultation by the Authority, for the statutory consultation period in September/October 2008 for comment and feedback upon the scope and level of detail of the SA. The Scoping Report was issued to the three statutory consultees (The Environment Agency, Cadw and the Countryside Councils for Wales). Responses to the consultation were received from the Glamorgan and Gwent Archaeological Trust, the Environment Agency and the Countryside Council for Wales. Their findings were reported upon in Appendix C of the *Initial SA Report* and the SA amended where appropriate.
- 5.3 **PRE-DEPOSIT STAGE – COMPLIANCE WITH REGULATION 15 OF THE TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT PLAN)(WALES) REGULATIONS 2005**
Initial SA Report was issued for public consultation in January 2009. Comments were received from The Countryside Council for Wales, Environment Agency Wales; Powys Local Health Board and the Welsh Assembly Government. Appendix C of the Sustainability Appraisal Report summarises the comments received and details the actions taken forward as the SA.
- 5.4 **DEPOSIT STAGE – COMPLIANCE WITH REGULATION 17 OF THE TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT PLAN) (WALES) REGULATIONS 2005 AND REGULATION 13 (SEA REGULATIONS)**

Consultation responses on the Deposit LDP and on the SA/SEA Report and the Authority's recommendations on how these have been taken into consideration and any proposed changes have been included in the Authority's Consultation Report.

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

6.1 As part of the development of the LDP the Authority considered a range of spatial and policy options. The strategic options were tested against the SA/SEA objectives to enable the Authority to gauge the strengths and weaknesses of the different options. The testing highlighted that no single development option was able to achieve the required balance of key objectives. Through the assessment it was decided to take forward the most beneficial outcomes from the range of development options and to formalise a hybrid strategy. This hybrid strategy was subject to further SA/SEA assessment. This assessment determined that the strategy underpinning the LDP provided a good balance between focusing development in the key settlements whilst allowing for demonstrated local needs to be met in smaller settlements and rural areas.

7.0 The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme

7.1 LDP Regulation 37 requires the Authority to prepare and subsequently submit to the Welsh Assembly government an Annual Monitoring Report (AMR) that is required to monitor relevant indicators as well as identifying areas of policy which are not performing as anticipated. In addition to this requirements, Regulation 17 of the EAPP Regulations requires that the Authority must monitor the significant environmental effects of the plan. These statutory requirements to monitor the plan will be undertaken through the AMR

7.2 Chapter 11 of the LDP sets out the Monitoring Framework that provides the basis for monitoring the effectiveness of the LDP. Monitoring Measures identified through the SA process are set out at section 11 of the Final SA Report November 2013. Relevant indicators for appropriate monitoring of significant environmental effects in accordance with EAPP regulation are set out at table 11-1.

8.0 Further Advice

- 8.1 If you require any further advice or assistance or wish to be placed on the Authority's consultation database, please contact Strategy and Policy

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