



**South Somerset District Council
Local Plan**

Sustainability Appraisal Compliance Review

August 2013

enfusion



South Somerset District Council Local Plan

Sustainability Appraisal Compliance Review

<i>date:</i>	<i>19 August 2013 (Draft)</i> <i>28 August 2013 (Final)</i>	
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South Somerset District Council Local Plan Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA): Compliance Review

1.0 Introduction, Scope of Review and Method

Context and Inspector's Preliminary Findings at Examination

- 1.1 South Somerset District Council commissioned Enfusion Ltd to carry out an independent review of the SA (incorporating SEA) undertaken to date for the emerging Local Plan. This review considers the SA work carried out by the Council with regard to the requirements of the relevant EU and UK legislation, SA/SEA guidance, current good practice, and SEA case law.
- 1.2 The Council has been carrying out SA/SEA in an iterative and ongoing process with the development of the South Somerset Local Plan since 2009. The Local Plan was submitted to the Secretary of State on 21 January 2013. This was accompanied by evidence including the SA Report (June 2012) and the SA Addendum Report (Jan 2013). As a result of the Examination Hearings during May and June 2013 into the Local Plan, the Inspector provided preliminary findings (July 2013) that raised 3 significant Issues of concern.
- 1.3 The First Issue relates to the SA of the Strategic Growth Options for Yeovil with concerns relating to weighting of effects on agricultural land, landscape evidence, lack of consistency regarding the historic environment, and lack of clarity with regard to biodiversity and geodiversity. The details of the Inspector's concerns and our initial responses to them are set out in Appendix II of this review report.
- 1.4 The Second Issue relates to the soundness of the proposed direction of growth at Ilminster. The Council has acknowledged that there is an error in the SA for the town and this is being addressed through a re-appraisal by Officers. The Third Issue relates to employment land provision – Policy SS3 and does not concern the SA.

Scope of Work and Method

- 1.5 Since the specific concern from the Inspector with regard to the SA relates to the Strategic Growth Options for Yeovil, **this compliance review has focused on the previous SA relevant to Yeovil in order to inform the ongoing SA work that will address the concerns from the Inspector.** The Council has acknowledged the need for more clarity and consistency in the SA and has commissioned independent specialists Enfusion to carry out a fresh SA of the Strategic Growth Options for Yeovil.
- 1.6 The SA and Local Plan progress to date may be summarised as follows:

Table 1.1: Local Plan and SA/SEA activities and published documents to date

Local Plan Documents & Consultation	SA Documents & Consultation
Core Strategy Issues and Options (March 2008) Public consultation 7 March to 25 April 2008	SA Scoping Report Sent to statutory consultees and wider stakeholders 29 April to 03 June 2009
Area Based Workshops (members, Town and Parish Councillors and other stakeholders) July 2009, Nov/Dec 2009, Jan 2010 & July 2010	SA Scoping Report (Sept 2009) incorporated changes as a result of consultation
Draft Core Strategy (incorporating Preferred Options) Public consultation 08 October to 03 December 2010	SA Report (Oct 2010) Public consultation 08 October to 03 December 2010
Proposed Submission Local Plan Public consultation 08 June to 10 August 2012	SA Report (June 2012) Public consultation 08 June to 10 August 2012
The Local Plan was Submitted to the Secretary of State on 21 January 2013	SA Addendum (Jan 2013) accompanied the Local Plan on Submission

- 1.7 The review has been structured according to the SEA stages as set out in the extant UK SEA Guidance: Appendix 9 Quality Assurance (2005)¹ and as currently set out for development plan-making by the Planning Advisory Service (PAS). This provides a checklist for considering compliance with the requirements of the EU SEA Directive and the UK SEA Regulations. We have added also the requirements for SA as set out in the National Planning Policy Framework (NPPF, 2012) to the checklist so that it can be demonstrated that all relevant requirements have been considered.
- 1.8 Each of the published SA documents was investigated during the review in a systematic way considering the stage of plan-making and the stage of the SA/SEA process. Commentary has been provided on the compliance of the documents to meet with requirements as set out in the checklist. Suggestions and recommendations have been made to address potential issues and strengthen the reporting of the SA process.
- 1.9 The review focused on the SA/SEA procedures and did not investigate each of the individual appraisal matrices in detail. Therefore, any potential specific issues, such as the degree of consistency between the appraisals or the justification for the significance of an effect

¹ ODPM (2005) *A Practical Guide to the Strategic Environmental Assessment Directive*

against a particular SA Objective, were beyond the scope of the review work and were not considered. The focus for the review was the Strategic Growth Options for Yeovil as identified to be the key concern from the Inspector at Examination of the Local Plan.

- 1.10 Further work has been commissioned by the Council and this includes a fresh SA of strategic growth options for Yeovil. This additional SA work requested by the Inspector will be compiled within another SA Addendum that explains clearly the reasons for the work and how the additional studies address the SA concerns from the Inspector. This SA document will be placed on consultation for the public and interested parties to comment and make representations to the Council before the Examination is re-opened.
- 1.11 The review was undertaken using professional judgment drawing upon SA/SEA specialist expertise and experience, current good practice and the recommendations from the studies for DCLG (2010) into the effectiveness of SA/SEA in spatial planning. It also considered the recent judgments^{2,3, 4} on SEA in the High Court that now provide case law to guide practice, particularly with regard to the assessment of alternatives in SA/SEA.
- 1.12 The following section summarises the findings of the review with details presented in Appendix I. Key recommendations for strengthening the SA reporting are summarised again in the final section of this review, including suggestions to refine the ongoing SA work that has been instigated to resolve issues of concern raised by the Inspector at the Examination.

² High Court of Justice (March 2011) EWHC 606 Save Historic Newmarket Ltd v Secretary of State & Forest Heath District Council

³ High Court of Justice (February 2012) EWHC 344 (Admin) Heard v Broadland District Council, South Norfolk District Council and Norwich District Council

⁴ High Court of Justice (September 2012) EWHC 2542 (Admin) Cogent Land LLP v Rochford District Council

2.0 SA/SEA Review Findings

2.1 The findings of this independent review are structured according to the key stages of the SA/SEA process with details presented in Appendix I. Recommendations were made to address any identified issues to help strengthen the SA process and to make it more robust. Recommendations in **bold** are considered key to ensuring a robust and compliant SA/SEA process. The summary and discussion of the review findings are as follows:

Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope

2.2 The SEA Directive says the following for this stage:

The Environmental Report shall include information on [inter alia]:

- the “relationship [of the plan or programme] with other relevant plans and programmes” (Annex I(a))
- “relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme” and “the environmental characteristics of areas likely to be significantly affected” (Annex I (b), (c))
- “any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC” (Annex I (d))
- “the environmental protection objectives, established at international, [European] Community or [national] level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation” (Annex I (e))

“The authorities ... which, by reason of their specific environmental responsibilities, are likely to be concerned by the environmental effects of implementing plans and programmes ... shall be consulted when deciding on the scope and level of detail of the information which must be included in the environmental report” (Article 5.4 and 6.3).

2.3 The relationship of the plan with other plans and programmes and established environmental protection objectives were considered and explained in Section 3 of the Scoping Report (2009) and Section 4 and Appendix 1 of the Proposed Submission SA Report (2012). A suitable range of plans and programmes were reviewed with objectives identified and their implications for the Local Plan considered.

- 2.4 Relevant aspects of the state of the environment, characteristics of the areas likely to be significantly affected as well as any existing environmental problems were set out in the Baseline Information, which was presented in Section 2 and 4 of the Scoping Report (2009) and Section 4 and Appendix 2 of the Proposed Submission SA Report (2012). The detailed baseline information provided in Appendix 2 of the Proposed Submission SA Report (2012) was linked to indicators and provided key data along with comparators and trends. A summary of the baseline information was provided within Section 4 of the Proposed Submission SA Report (2012), which set out an overview of the environmental characteristics of the Plan area and any potential problems. The evolution of the baseline without the Local Plan is discussed in Section 4 of the Scoping Report (2009) and Section 4 and Appendix 2 of the Proposed Submission SA Report (2012).
- 2.5 The baseline information and relevant plans, policies and programmes review were then used to identify key sustainability issues for the Plan area, which informed the development of SA Objectives. This information was presented in the Scoping Report, including the SA Framework, and sent to statutory consultees and wider stakeholders for consultation for 5 weeks from 29 April to 03 June 2009. The Scoping Report was updated to take account of consultation responses with a final Scoping Report published in September 2009.

Is this stage compliant, does it meet the requirements of the SEA Directive and Regulations?

- 2.6 The SA scoping work to date, which includes the Scoping Report (2009), meets the majority of the requirements for this stage set out by the Directive. The Directive requires that the Environmental Report includes relevant aspects of the current state of the environment. Updated evidence for the Local Plan has been used to inform the appraisal, and the baseline data which is a key part of the SA evidence was updated in 2011 to account for changes since 2009. It is recommended that the baseline information is updated to make it clear that current information is being used to inform the current appraisal of strategic growth options for Yeovil (as requested by the Inspector at Examination).
- 2.7 The plans, policies and programmes review presented in Appendix 1 of the Proposed Submission SA Report (June 2012) was last updated in September 2011. Therefore it is also recommended that this is updated to ensure that the evidence is up to date to inform the ongoing further SA work for the Local Plan. This updating of the baseline and PP Review will also address the comments from the Inspector where issues were identified with regard to evidence.
- 2.8 Another area that should be strengthened is the explanation or story of how the scoping information has developed through the SA/SEA process since it is somewhat confusing about what information has been updated and when it was made available. It is also not clear

why and how the key sustainability issues were amended. The sustainability issues presented in Section 5 of the Scoping Report (2009) are different to those presented in Section 4 of the Proposed Submission SA Report (2012). It should be clear to the reader, so no paper chase is required, why there were changes to the sustainability issues and exactly what those changes were. This will also address the Inspector's concerns with regard to the development of the SA Objectives used as a basis for the appraisal.

Recommendations

2.9 It is recommended that the further SA work should:

- A1. Clearly set out the reasons for why the sustainability issues were amended and how they were changed;**
- A2. Update baseline information and the plans, policies and programmes review to ensure that the evidence base for ongoing SA is current; and**
- A3. Ensure that the evolution of the scoping information, which includes the plans, programmes and policies review, is more clearly explained to avoid the need for someone to undertake a 'paper chase'.

Stage B: Developing and refining alternatives and assessing effects

2.10 The SEA Directive says the following for this stage:

"... an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated" (Article 5.1).

Information to be provided in the Environmental Report includes "an outline of the reasons for selecting the alternatives dealt with" (Annex I (h)).

2.11 There have been a number of alternatives considered through the plan-making process, from high level growth and spatial distribution options to alternative options for the direction of growth around Yeovil and the Market Towns. These alternatives have been subject to early and ongoing iterative consideration through public consultation since the Issues & Options Report in 2008 and to Submission in 2013. Table 2.1 below sets out the alternatives considered for development growth at Yeovil through the progress of the Local Plan preparation and identifies how they have been considered through the SA/SEA process.

Table 2.1: Consideration of alternatives for Yeovil through the Plan and SA/SEA

Options/ alternatives proposed by the Plan	Have the options been considered through the SA/SEA and are the reasons for rejection/selection made clear?
Proposed Submission Local Plan (June 2012)	Draft Core Strategy SA Report (Oct 2010) Proposed Submission SA Report (June 2012)
Yeovil Growth Options	
Six strategic growth options covering a 360 degree search area around Yeovil.	<p>Appendix 4A of the Draft Core Strategy SA Report (2010) and Appendix 5A of the Proposed Submission SA Report (2012) state that detailed appraisals of the options were carried out using the SA Framework. Summaries of the appraisal findings for the options are provided in Appendix 5A of the Proposed Submission SA Report under each SA Objective and a summary table is provided (it is not stated whether the summary table is pre or post mitigation) with SA findings presented as narrative text rather than in a matrix.</p> <p>The reasons for the selection/ rejection of the options are not set out clearly in either SA Report. Para 5.4.16 of the Proposed Submission SA Report states that the options to the north were not incorporated mainly due to adverse highways and landscape impact.</p>
<p>As a result of workshops held in Dec 2009 with stakeholders, 8 locations for an urban extension were identified, with a further 3 locations identified by Officers (Options 8, 9 & 11) to ensure a full 360 degree area of search (Appendix 5B, Pg. 2).</p> <p>Option 1: Keyford South Option 2: Barwick Option 3: Cartgate Option 4: Lufton West Option 5: Yeovil Without Option 6: Northern Linear Option 7: Combe St Lane/ Mudford Option 8: Brympton D'Evercy Option 9: South/ Keyford Option 10: Keyford/ Barwick Option 11: Dorset/ over Compton</p> <p>A review of these Options by policy officers narrowed the options down to 6 (Appendix 5B, Pg. 4) (which were then subject to SA and see below).</p>	<p>The reasons for the rejection of options or changes made are provided on Pg. 4 of Appendix 5B. However, in some cases the reasons for the changes to the Options are not clear.</p> <p>No appraisal of these 11 options was undertaken at the Issues and Options stage. Appendix 5B pg 4 of the Proposed Submission SA Report (2012) explains why 5 of the 11 options were either considered to not be reasonable options for plan-making or were amended/combined in part with other options; 6 of the options were taken forward as potentially reasonable alternatives to the next stage of plan-making and subject to SA (see below).</p>
The Draft Core Strategy SA Report (2010) states that, "Following engagement with	Summaries of the appraisal findings for the options are provided in Appendix 5B of the

Options/ alternatives proposed by the Plan	Have the options been considered through the SA/SEA and are the reasons for rejection/selection made clear?
<p>town and parish councils, and using findings from the initial SA, the options were developed and refined from 11 areas reflecting the 360 degree area of search, to 6 separate geographic areas" (Para 5.4.6, Pg. 22). This is also stated in the Proposed SA Report (Para 5.4.16, Pg. 31 & 32) and in Appendix 5B (Pg. 4). The six options were:</p> <p>Option 4: Lufton Option 7: Yeovil Marsh/ Mudford Option 8: Brympton Option 9: South/ Keyford Option 10: Barwick/ Keyford Option 11: Over Compton/ West Dorset</p> <p>Three of these options were eventually identified as appropriate for inclusion within the Core Strategy (Proposed Submission SA Report, Para 5.4.16, Pg. 32).</p>	<p>Proposed Submission SA Report under each SA Objective and a summary table is provided (Pre and post mitigation). These appraisals are not presented in detailed matrices but set out in summary tables with commentary against the SA Objectives.</p> <p>The reasons for the selection/ rejection of the options are not set out clearly in either SA Report. Reasons for the rejection of Options 4 & 7 are provided on Pgs. 14 & 15 of Appendix 5B of the Proposed Submission SA Report (2012).</p> <p>The reasons for the amalgamation of Options 8 and 9 are provided on Pg. 15 of Appendix 5B of the Proposed Submission SA Report (2012). It is stated that a review of the SA was carried out to take account of the changes to the options. The review found that the changes did not significantly affect the findings of the SA for the 6 options (Appendix 5B (Pg. 15) and 5C (Pg. 1) of the Proposed Submission SA Report (2012). The SA Review dated March 2010 was an internal working document at the time but was then published with the further SA Review carried out in August 2010 – as set out in Appendix 5C of the Proposed Submission SA Report (2012). It did not identify any changes to the SA findings (Appendix 5B pg 15 para 3).</p>
<p>The three options identified as appropriate for inclusion within the Core Strategy were:</p> <p>Option 8: Brypton & Coker Option 10: Keyford & Barwick Option 11: East Yeovil & Over Compton</p> <p>Despite options 4 (Lufton West) and Option 7 (Yeovil Marsh/ Mudford) having been rejected earlier in the process, they were subject to further SA as a single Option called the Northern Options to provide a comparator for the other options (Appendix 5C, Pg. 3).</p>	<p>The reasons for why Options 4 and 7 were included as the Northern Options for consideration in the SA are not clearly explained. The previous SA findings for Options 4 & 7 were copied across to provide a comparator at this stage and reported in Appendix 5C pg 3 para 3.</p> <p>Summaries of the appraisal findings for the options are provided in Appendix 5C of the Proposed Submission SA Report (2012) under each SA Objective and a summary table is provided (pre and post mitigation). These appraisals are not presented in detailed matrices but set out in summary tables with commentary against the SA Objectives.</p> <p>The un-mitigated and post mitigation summary tables on Pgs. 18 & 19 are not always consistent with the summary tables</p>

Options/ alternatives proposed by the Plan	Have the options been considered through the SA/SEA and are the reasons for rejection/selection made clear?
	<p>presented under each SA objective. The tables under Objectives 2, 3 and 4 appear to not be located correctly but are consistent with the table on pages 18-19.</p> <p>The reasons for the selection/ rejection of the options are not set out clearly in the Proposed Submission SA Report (2012).</p>
<p>After considering consultation responses on the Draft Core Strategy (which suggested a lower level of growth at Yeovil), the Council considered it necessary to re-appraise alternatives in order to ensure that the SA findings fully inform the decision-making process (Proposed Submission SA Report, Section 5, Para 5.5.10, Pg. 40). Three options were subject to further SA, these were:</p> <p>Option 1: South West Option 2: North West Option 3: Multi-site</p>	<p>Para 5.5.10 in the Proposed Submission SA Report (2012) sets out the reasoning for the change from an urban extension of 5000 dwellings reduced to 2500 dwellings (1565 within the Plan period). However, there is no clear explanation as to why the options being re-appraised are different from those that were considered in Appendix 5C.</p> <p>All 3 Options were appraised against the full SA Framework presented in Appendix 5D of Proposed Submission SA Report (2012). These appraisals are presented in detailed matrices with commentary against the SA Objectives.</p> <p>The reasons for the rejecting Options 2 & 3 are set out clearly in the Proposed Submission SA Report (2012) paras 5.5.12 & 5.5.13 respectively; para 5.5.11 references the SA findings in 6.3 but does not explicitly set out the reasoning for progressing Option 1.</p>

Is this stage compliant, does it meet the requirements of the SEA Directive and Regulations?

- 2.12 The SEA Directive⁵ requires assessment of the likely significant effects of implementing the plan and “reasonable alternatives” taking into account the objectives and geographical scope of the plan; and the reasons for selecting alternatives should be outlined in the Report. The Directive does not specifically define the term “reasonable alternative”; however, UK SA/SEA guidance⁶ advises that it should be taken to mean “realistic and relevant” i.e. deliverable and within the timescale of the plan.
- 2.13 Recent case law in England has clarified and provided further guidance for current practice on how alternatives should be considered in SA/SEA of spatial and land use plans. The Forest Heath

⁵ <http://ec.europa.eu/environment/eia/sea-legalcontext.htm>

⁶ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

Judgment⁷ confirmed that the reasons for selecting or rejecting alternatives should be explained, and that the public should have an effective opportunity to comment on appraisal of alternatives. The SA report accompanying the draft plan must refer to, summarise or repeat the reasons that had been given in earlier iterations of the plan and SA, and these must still be valid.

- 2.14 The Broadlands Judgment⁸ drew upon the Forest Heath findings and further set out that, although not an explicit requirement in the EU SEA Directive, alternatives should be appraised to the same level as the preferred option; the final SA Report must outline the reasons why various alternatives previously considered are still not as good as the proposals now being put forward in the plan, and must summarise the reasons for rejecting any reasonable alternatives and that those reasons are still valid. The Rochford Judgment⁹ confirmed that the Council had adequately explained how it had carried out the comparative assessment of competing sites and that any shortcomings in the early process had been resolved by the publication of an SA Addendum Report.
- 2.15 A significant amount of SA work has been carried out by South Somerset District Council on the assessment of alternatives in the development of the Local Plan for the area. Table 2.1 shows how the alternatives for Yeovil have been considered through the SA process. Detailed appraisals of reasonable options were carried out against the full SA Framework of Objectives and the likely significant effects were identified, described and evaluated. The options were also assessed to the same level of detail as the preferred options. A number of options were not subject to appraisal as they either were not considered reasonable options in the plan-making sense or were amended or combined in part with other options. This is an appropriate approach provided that the Council can justify the reasons for why an option was considered to be not reasonable or unlikely to lead to a significant effect.
- 2.16 The SA Report (2012) has not always clearly and explicitly set out the reasons for the selection and rejection of alternatives for Yeovil as the plan-making process has developed. In consideration of the complexity of the process, the time since the SA commenced, and the interest from the public, it is recommended that the further SA work for Yeovil should clearly set out the reasons for selecting or rejecting each of the options considered. It is appreciated that the potential strategic growth options for Yeovil are to be identified again with updated evidence and will be subject to new SA. However, this will provide a clear and easy to read summary of the development of the growth options for Yeovil with the relevant SA in one place so that the reader does not have to search through numerous documents.

⁷ Save Historic Newmarket Ltd v Forest Heath District Council (2011) EWHC 606

⁸ Heard v Broadland District Council, South Norfolk District Council, Norwich City Council (2012) EWHC 344

⁹ Cogent Land LLP v Rochford District Council (2012) EWHC 2542

Recommendations

2.17 It is recommended that the further SA work should:

- B1. Clearly set out the reasons for selection or rejection of all alternatives considered for Yeovil through plan-making. The reasons why any other alternatives may have been considered as not 'reasonable' should also be set out.**

Stage C: Preparing the Environmental Report

2.18 The SEA Directive says the following for this stage:

".....an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified described and evaluated" (Article 5.1).

"The environmental report shall include information that may reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, [and] its stage in the decision-making process" (Article 5.2).

Information to be provided in the Environmental Report includes:

- "an outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and Programmes" (Annex I (a));
- "the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme" (Annex I (b));
- "the environmental characteristics of areas likely to be significantly affected" (Annex I (c));
- "any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC" (Annex I (d));
- "the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation" (Annex I (e));
- "the likely significant effects (1) on the environment, including

on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors" (Annex I (f));

- "the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme" (Annex I (g));
- "an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information" (Annex I (h));
- "a description of the measures envisaged concerning monitoring in accordance with Article 10" (Annex I (i));
- "a non-technical summary of the information provided under the above headings" (Annex I (j))

Is this stage compliant, does it meet the requirements of the SEA Directive?

- 2.19 Some of the SEA Directive requirements set out for the Environmental Report have already been covered in the previous stages, such as providing the reasons for the selection/rejection of alternatives and the requirements relating to scoping/ baseline information. To avoid any repetition the review for this stage focuses on the appraisal itself, specifically, have significant adverse effects been identified and have measures been considered to prevent, reduce and as fully as possible offset them? Have cumulative effects been sufficiently considered through the SA and has a non-technical summary been provided and does it include all the required information?
- 2.20 Reasonable alternatives, policies and sites considered through the Local Plan were assessed against the full SA Framework, which covers all the topics identified by the Directive. Significant effects were identified and described within the appraisal matrices, which included the duration of effects and inter-relationship between them, where necessary. Changes to the Local Plan made after the Proposed Submission consultation were considered and screened through an SA Addendum (Jan 2013). It is recommended that any further changes to the Local Plan should be similarly considered through the SA.
- 2.21 Cumulative effects were also considered within the appraisal matrices, where relevant. A summary matrix of the cumulative effect of Local Plan policies was provided in Appendix 8 of the Proposed Submission SA Report (2012). The SA also considered the cumulative effect of the Local Plan in conjunction with other plans and programmes in Section 6 of the Proposed Submission SA Report (2012).

- 2.22 The SEA Directive requires that the non-technical summary includes the same information as provided in the Environmental Report. The non-technical summary presented alongside the Proposed Submission SA Report (2012) does not include all of this information. The Local Plan objectives need to be made clear in the text although they are reported in Appendix 4 (pg 1-2) where a SA compatibility analysis is recorded; further information is required on environmental characteristics of the area, mitigation measures, and could include more on the reasons for the selection/rejection of alternatives, as well as the proposed monitoring measures.
- 2.23 The structure and presentation of the Proposed Submission SA Report (2012) is clear and the methodology used for the SA is also clearly set out. Section 5 of the Report sets out the appraisal of options for Yeovil but can be confusing as it does not provide a clear narrative of how options have been considered through the emerging Plan and SA. The development of options through the Local Plan and how they were refined should be made much clearer, along with explicitly stating the reasons for their selection or rejection. The findings of the appraisal of the Proposed Submission Local Plan are clearly set out in Section 6. Potential significant effects and mitigation measures to address significant negative effects are clearly set out.

Recommendations

- 2.24 It is recommended that the further SA work should:
- C1. Clearly set out the purpose and objectives of the Local Plan in the Non-Technical Summary;**
 - C2. Provide a clear narrative of how options for Yeovil have been considered through the Local Plan and the SA**
 - C3. Consider/screen any changes to the Local Plan since Submission;**
 - C4. Update the non-technical summary to include the findings of the further SA work as well as the additional information outlined above.**

Stage D: Consulting on the draft plan or programme and the Environmental report

- 2.25 The SEA Directive says the following for this stage:

“The authorities [with relevant environmental responsibilities] and the public... shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying Environmental Report before the adoption of the plan or programme” (Article 6(2)).

“The environmental report ..., the opinions expressed [in responses to

consultation]... and the results of any transboundary consultations ... shall be taken into account during the preparation of the plan or programme and before its adoption..." (Article 8).

"...when a plan or programme is adopted, the [environmental] authorities... [and] the public ... are informed and the following items [shall be] made available to those so informed: (a) the plan or programme as adopted, (b) a statement summarising how environmental considerations have been integrated into the plan or programme.... [including] the reasons for choosing the plan or programme as adopted, in light of other reasonable alternatives dealt with, and (c) the measures decided concerning monitoring" (Article 9(1)).

- 2.26 The SA documents for the Local Plan and their consultation dates are as follows:
- The Scoping Report (2009) was sent to statutory consultees and wider stakeholders for consultation from 29 April to 03 June 2009.
 - The Draft Core Strategy SA Report (2010) was put on public consultation alongside the Draft Core Strategy (incorporating Preferred Options) from 8 October to 03 December 2010.
 - The Proposed Submission Local Plan SA Report (2012) was sent to put on public consultation alongside the Proposed Submission Local Plan from 08 June to 10 August 2012.

Is this stage compliant, does it meet the requirements of the SEA Directive?

- 2.27 The SA has been consulted on as an iterative and ongoing process, meeting the requirement of the SEA Directive to allow the statutory consultees and the public appropriate time frames to express their opinion on the draft plan and accompanying SA documents.
- 2.28 There is also a requirement to demonstrate that the consultation responses received through the SA have been taken into account. The representations received on the Scoping Stage and the Council's response on how they have been taken into account are clearly presented in Appendix 1 of the Scoping Report (Sept 2009). However, it is not clear how many responses were received on the Draft Core Strategy SA Report (2010) and Proposed Submission SA Report (2012) or how they have been addressed.
- 2.29 It is our understanding from discussions with the Council that the representations have been considered and responses provided but they were not published as part of the SA. Whilst the final requirement set out above relates to the production of an **SA Adoption Statement and is not needed until the adoption of the Local Plan**, it would be best practice to set out all the representations received on the SA Reports now and with a response on how they have been taken into account.

Recommendations

2.30 It is recommended that the further SA work should:

- D1. Set out all the consultation responses received through the SA process and provide a response to indicate how they have been addressed.

Stage E: Monitoring the significant effects of implementing the plan or programme on the environment

2.31 The SEA Directive says the following for this stage:

“Member States shall monitor the significant environmental effects of the implementation of plans and programmes in order, inter alia, to identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action” (Article 10.1).

The Environmental Report shall include “a description of the measures envisaged concerning monitoring” (Annex I (i)).

Is this stage compliant, does it meet the requirements of the SEA Directive?

2.32 Monitoring indicators are proposed in Section 6 of the Draft Core Strategy SA Report (2010) and Section 7 of the Proposed Submission SA Report (2012). Monitoring is an ongoing process after adoption of the Local Plan through the Annual Monitoring Report. This stage is considered compliant.

NPPF Requirements for SA/SEA

2.33 The NPPF requires (para 165) that an SA should be integral part of the plan preparation process and consider effects on environmental, social and economic factors. It also requires (para 167) that assessments should be proportionate, contribute to the evidence base for the plan, and be started early with key stakeholders in the process. The SA of the South Somerset District Local Plan has been iterative and ongoing as an integral part of plan-making; it is proportionate and is presented as part of the evidence base; was started early and has been consulted upon widely; and is thus compliant with requirements of the NPPF.

3.0 Conclusions and Recommendations

3.1 The review of the SA work to date (presented in Appendix I) has found that overall, the reports produced are of good quality and the length of the documents is very manageable, which is consistent with DCLG recommendations on the SA of spatial plans. Appraisals have been undertaken throughout the preparation of the Local Plan and have helped to inform its development. The SA has identified potential significant effects; proposed mitigation measures to address adverse effects, and has been consulted on through an iterative and ongoing process that has been integral to the plan-making process - thus also meeting the requirements set out in the NPPF.

3.2 The review has made the following key recommendations that will help strengthen the SA/SEA process and address the SA concerns made by the Inspector in his Preliminary Findings (3 July 2013)from the Local Plan Examination:

- A1. Clearly set out the reasons for why the sustainability issues were amended and how they were changed;**
- A2. Update baseline information and the plans, policies and programmes review to ensure that the evidence base for ongoing SA is current;**
- B1. Clearly set out the reasons for selection or rejection of all alternatives considered for growth at Yeovil through plan-making; explain why any other alternatives that may have been considered are not 'reasonable';**
- C1. Clearly set out the purpose and objectives of the Local Plan in the Non-Technical Summary;**
- C2. Provide a clear narrative of how the Yeovil options have been considered through the Local Plan and the SA;**
- C3. Consider/screen any changes to the Local Plan since Submission; and**
- C4. Update the non-technical summary to include the findings of the further SA work, as well as the specific information required by the SEA Directive (Plan objectives, environmental characteristics of area, summary reasons for rejecting/selecting alternatives).**

3.3 The review also identified some areas of the SA work to date that could be strengthened in line with good practice:

- A3. Ensure that the evolution of the scoping information, which includes the plans, programmes and policies review, is more clearly explained; and**
- D1. Set out all the consultation responses received through the SA process and provide a response to indicate how they have been addressed.**

Appendix I: SA/SEA Compliance Review

Ref	Review Criteria	SEA Directive & Regulations	Compliance	Comments /recommendation Reference to: SA Scoping Report (Sept 2009) Draft Core Strategy (incorporating Preferred Options) SA Report (Oct 2010) Proposed Submission Local Plan SA Report (June 2012) SA Report Addendum (Jan 2013)
Objectives and Context				
1	The plan or programme's purpose and objectives are made clear.	Directive 2001/42/EC Article 5(1)a	No	This is predominantly referring to the requirement for the final 'Environmental Report' as set out in the Directive and Regulations to include the Plan's purpose and objectives. The purpose of the Plan is set out in Section 2 of the SA Report (June 2012); the objectives are not made clear in the text although they are reported in Appendix 4 (pg 1-2) where a SA compatibility analysis is recorded. It is recommended that the further SA work clearly sets out the purpose and objectives of the Local Plan. Recommendation: C1
2	Sustainability/environmental issues and constraints, including international and EC protection objectives, are considered in developing objectives and targets.	Directive 2001/42/EC Article 5(1)e	Yes	The review of plans, policies and programmes (PP Review) was originally produced by consultants in November 2006, and subsequently updated by the Council as part of the Scoping Stage in 2009 and the SA of the Proposed Submission Local Plan in 2012 (Appendix 1 of the SA report June 2012). The PP review considered international and EC protection objectives. Baseline information was collated as part of the Scoping Stage, with the method set out in Section 4 of the SA Scoping Report (Sept 2009). The baseline data provided evidence of the environmental characteristics of the District and was presented in Appendix 2 of the SA Report (June 2012). The review of plans, policies & programmes and baseline data was used to identify the key sustainability issues for the District, which are set out in Section 5

				<p>of the SA Scoping Report (2009) and Section 4 of the SA Report (2012). The key sustainability issues then informed the development of SA objectives.</p> <p>The key sustainability issues identified in Section 5 of the SA Scoping Report 2009 are different to those identified in Section 4 of the SA Report published in 2012. No explanation is provided as to why the key sustainability issues have changed or been revised and how they differ from those presented in the Scoping Report (2009). It is recommended that the further SA work clearly sets out the reasons for the changes/revisions to the key sustainability issues and how they have changed since the Scoping in 2009. Recommendation: A1 and A3</p>
3	SA/SEA objectives, where used, are clearly set out and linked to indicators and targets where appropriate.		Yes	SA objectives are clearly set out and linked to indicators in Appendix 2 of the Scoping Report 2009. SA objectives are also clearly set out in Section 2 of the SA Report 2010 and Section 4 of the SA Report 2012; however, they are not linked to indicators.
4	Links with other related plans, programmes and policies are identified and explained.	Directive 2001/42/EC Article 5(1)a	Yes	<p>The links with other related plans, policies and programmes are identified and explained in Section 3 of the Scoping Report 2009 and Section 4 & Appendix 1 of the Proposed Submission Local Plan SA Report 2012. However; it should be noted that the detailed plans, programmes and policies review was not published alongside the Scoping Report for consultation in April 2009. The Scoping Report stated that it was available separately. The detailed review provided in Appendix 1 of the Proposed Submission SA Report (June 2012) is the same document with updating in September 2011 to account for changes (in yellow highlights) since 2009. Given the length of time since the plans, policies and programmes review was last updated it would be prudent to undertake another update to ensure this piece of evidence is up to date. It is recommended that the plans, programmes & policies review is updated to inform the further SA work for the Local Plan and is presented alongside it. It is also recommended that the evolution of the plans, programmes and policies review is more clearly explained to avoid the need for someone to undertake a 'paper chase'. Recommendation: A2 and A3</p>
5	Conflicts that exist between		Yes	A compatibility analysis of the Local Plan objectives and SA objectives was

	SA/SEA objectives, between SA/SEA and plan objectives, and between SA/SEA and other plan objectives are identified and described.			carried out and presented in Appendix 4 of the Proposed Submission SA Report (2012).
Scoping				
6	Consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the Environmental Report.	Directive 2001/42/EC Article 6.1 & 6.2	Yes	The Scoping Report (2009) was sent to statutory consultees and wider stakeholders for consultation from 29 th April to 03 rd June 2009. The responses received are presented in Appendix 1 of the SA Scoping Report (Sept 2009).
7	The assessment focuses on significant issues.		Yes	Key sustainability issues are identified in Section 5 of the SA Scoping Report 2009. As previously stated against Ref 2, the key sustainability issues identified in Section 5 of the SA Scoping Report 2009 are different to those identified in Section 4 of the SA Report published in June 2012. No explanation is provided as to why the key sustainability issues have changed and how they differ from those presented in 2009. It is recommended that the further SA work clearly sets out the reasons for the revised key sustainability issues and how they have changed since 2009 to avoid the need for the public to undertake a 'paper chase'. Recommendation: A1 and A3
8	Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit.		Yes	Data gaps were identified in Section 4 of the Scoping Report (2009).
9	Reasons are given for eliminating issues from further consideration.		N/A	No issues have been eliminated which is typical for SAs of spatial plans as all issues are generally considered to be relevant.
Alternatives				
10	Realistic alternatives are considered for key issues, and the reasons for choosing them	Directive 2001/42/EC Article 5(1)h	No	The SA appears to have undertaken an appraisal of reasonable alternatives with regard to developing growth options for Yeovil. However, the progress of plan-making and SA can be confusing for the reader, and the SA has not

	are documented.			always explicitly set out for the reasons for the selection or rejection of alternatives considered through plan-making. It is recommended that as part of the further SA work a clear narrative is prepared that clearly sets out the options considered and explicitly sets out the reasons for their selection or rejection. The SA should also clearly set out why certain options were considered not reasonable. Recommendation: C1 and C2
11	Alternatives include 'do minimum' and/or 'business as usual' scenarios wherever relevant.		Yes	A business as usual approach was appraised as an alternative for the spatial distribution of development with the detailed appraisal presented in Appendix 4 of the Proposed Submission SA Report (2012) and a summary provided in Section 5 of the SA Report (2012).
12	The sustainability/ environmental effects (both adverse and beneficial) of each alternative are identified and compared.		Yes	The sustainability/ environmental effects (both positive and negative) of each alternative appraised is identified and compared where necessary.
13	Inconsistencies between the alternatives and other relevant plans, programmes or policies are identified and explained.		Yes	No inconsistencies explicitly reported.
14	Reasons are given for selection or elimination of alternatives.	Directive 2001/42/EC Article 5(1)h	No	See also No 10 above. The SA has not explicitly set out the reasons for the selection or rejection of alternatives for Yeovil considered through plan-making. It is recommended that as part of the further SA work during the suspension of the examination a clear narrative is prepared that clearly sets out the options considered and explicitly sets out the reasons for their selection or rejection. The SA should also clearly set out why certain options were considered not reasonable. Recommendation: C1 and C2
Baseline information				
15	Relevant aspects of the current state of the environment/ sustainability and their likely evolution without the plan are	Directive 2001/42/EC Article 5(1)b	Yes	Relevant aspects of the environment were set out in Section 2 and 4 of the Scoping Report 2009 and Section 4 and Appendix 2 of the SA Report 2012. The baseline data has not been updated since it was collated at the Scoping Stage in 2009. It is a requirement of the SEA Directive that the relevant aspects of the

	described.			environment are current. While updated evidence for the Local Plan might have been used to inform the appraisal, the baseline data which is a key part of the SA evidence has not been explicitly updated since 2009. The evolution of the baseline without the Local Plan is discussed in Section 4 of the Scoping Report (2009) and Section 4 and Appendix 2 of the SA Report (2012). As for the Plans, Policies and Programmes Review (Ref 4), it is recommended that the baseline data presented in Appendix 2 of the SA report (2012) is updated to inform the further SA work and set out in the accompanying SA Addendum. Recommendation: A2
16	Environmental/sustainability characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan.	Directive 2001/42/EC Article 5(1)c & Article 5(1)d	Yes	The environmental/sustainability characteristics of the areas likely to be significantly affected are set out in Section 2 of the Scoping Report (2009) and Section 4 of the SA Report (2012). The baseline data presented in Appendix 2 of the SA report (2012) includes information on areas wider than the physical boundary of the plan.
17	Difficulties such as deficiencies in information or methods are explained.		Yes	Difficulties encountered were explained in Section 3 of the SA Report (2012) and data gaps were identified in Section 4 of the Scoping Report (2009).
Prediction and evaluation of likely significant environmental effects				
18	Effects identified include the types listed in the Directive (biodiversity, population, human health, fauna, flora, soil, water, air, climate factors, material assets, cultural heritage and landscape), as relevant; other likely environmental/sustainability effects are also covered, as appropriate.	Directive 2001/42/EC Article 5(1)f	Yes	Each stage of the Local Plan was assessed against the SA Framework of Objectives, which covers all the effects identified in the Directive. Table 7 in the SA Scoping Report (2009) links the SA objectives with SEA topics.
19	Both positive and negative	Directive	Yes	The SA of the Local Plan has considered both positive and negative effects as

	effects are considered, the duration of effects (short, medium or long-term), and temporary/permanent effects are addressed.	2001/42/EC Article 5(1)f		well as the duration and temporary/permanence of effects, where necessary in Sections 4 & 5 and Appendices 2, 3, 4 & 6 of the SA Report (2010) and Sections 5 & 6 and Appendices 3, 4, 5, 6A, 7 & 8 of the SA Report (2012).
20	Likely secondary, cumulative and synergistic effects are identified where practicable.	Directive 2001/42/EC Article 5(1)f	Yes	Cumulative effects are considered in the appraisal matrices, where relevant, presented in Appendices 3, 4, 5, 6A, 7 of the SA Report (2012). They are also identified and discussed in Section 6 and Appendix 8 of the SA report (2012).
21	Inter-relationships between effects are considered where practicable.	Directive 2001/42/EC Article 5(1)f	Yes	Where relevant these are outlined in Sections 4 & 5 and Appendices 2, 3, 4 & 6 of the SA Report (2010) and Sections 5 & 6 and Appendices 3, 4, 5, 6A, 7 & 8 of the SA Report (2012).
22	The prediction and evaluation of effects makes use of relevant accepted standards, regulations, and thresholds.		Yes	The SA Framework of objectives is linked to quantitative indicators including relevant, accepted limits and thresholds. This is presented in Appendix 2 of the Scoping Report (Sept 2009).
23	Methods used to evaluate the effects are described.		Yes	The appraisal method is set out in Section 2 of the SA Report 2010 and Section 3 of the SA Report 2012.
Mitigation measures				
24	Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan or programme are indicated.	Directive 2001/42/EC Article 5(1)g	Yes	Where necessary, the SA sets out measures to prevent, reduce and offset identified significant adverse effects. See Sections 4 & 5 and Appendices 2, 3, 4 & 6 of the SA Report (2010) and Sections 5 & 6 and Appendices 3, 4, 5, 6A, 7 & 8 of the SA Report (2012). However, it should be noted that the Inspector considers that the SA has not sufficiently addressed opportunities for mitigating the potential effect of growth options around Yeovil on landscape.
25	Issues to be taken into account in project consents are identified.		Yes	The SA identifies, where necessary, any issues to be taken into account in project consents. See Section 6 of the SA Report (2012).
The Environmental Report				
26	Is clear and concise in its layout and presentation.		Yes	The SA Report published in 2012 is clear and concise.
27	Uses simple, clear language		Yes	Clear language is used where possible.

	and avoids or explains technical terms.			
28	Uses maps and other illustrations where appropriate.		Yes	The SA Report contains maps and illustrations where appropriate.
29	Explains the methodology used.		Yes	The SA method is set out in Section 2 of the SA Report 2010 and Section 3 of the SA Report 2012.
30	Explains who was consulted and what methods of consultation were used.		Yes	The Proposed Submission SA Report (2012) sets out who was consulted in Figure 1.1 and Section 3.
31	Identifies sources of information, including expert judgement and matters of opinion.	Directive 2001/42/EC Article 5.2	Yes	Sources of information are identified where necessary in the detailed appraisals.
32	Contains a non-technical summary (NTS) covering the overall approach to the SA/SEA, the objectives of the plan, the main options considered, and any changes to the plan resulting from the SEA.	Directive 2001/42/EC Article 5 (1) j	No	A non-technical summary was provided alongside the SA Report (2012), which meets the majority of the requirements of the SEA Directive. However, the NTS does not set out the objectives of the Plan, and more could be provided on the environmental characteristics of the area and the reasons for the selection/rejection of alternatives. It is recommended that the NTS is updated to include the findings of the further SA work as well as the additional information outlined above as required by the SEA Directive. Recommendation: C4
Consultation				
33	The SA/SEA is consulted on as an integral part of the plan-making process.		Yes	The Scoping Report (2009) was sent to statutory consultees and wider stakeholders for consultation from 29 th April to 03 rd June 2009. The Draft Core Strategy (incorporating Preferred Options) SA Report accompanied the Plan on public consultation from 08 th October to 03 rd December 2010. The Local Plan SA Report accompanied the Proposed Submission Local Plan on public consultation from 08 th June to 10 th August 2012.
34	Consultation Bodies and the public likely to be affected by, or having an interest in, the plan or programme are consulted in ways and at times	Directive 2001/42/EC Article 6.1 & 6.2	Yes	See comments above.

	which give them an early and effective opportunity within appropriate time frames to express their opinions on the draft plan and Environmental Report.			
Decision-making and information on the decision				
35	The environmental report and the opinions of those consulted are taken into account in finalising and adopting the plan or programme.	Directive 2001/42/EC Article 8	Yes	The consultation responses received on the Scoping Stage and how they have been taken into account are presented in Appendix 1 of the Scoping Report (Sept 2009). The consultation responses received on the SA Reports published in 2010 and 2012 were taken into account; however, the representations received and responses to them were not published as part of the SA process.
36	An explanation is given of how they have been taken into account.	Directive 2001/42/EC Article 9 (1) b	N/A	The consultation responses received on the Scoping Stage and how they have been taken into account are presented in Appendix 1 of the Scoping Report (Sept 2009). The consultation responses received on the SA Reports published in 2010 and 2012 were taken into account; however, the representations received and responses to them were not published as part of the SA process. Whilst this requirement relates to the production of an SA Adoption Statement and is not needed until the adoption of the Core Strategy , it would be beneficial for the Council to set out all the representations received on the SA Reports with a response on how they have been taken into account. It is recommended that the further SA work should set out what consultation has occurred through the SA process (specific dates) and set out (as an appendix) all the responses received on the SA process, including a response, to clearly demonstrate how they have been taken into account. <i>Recommendation: D1</i>
37	Reasons are given for choosing the plan or programme as adopted, in the light of other reasonable alternatives considered.	Directive 2001/42/EC Article 9 (1) b	N/A	This information will be set out in the adoption statement once the Local Plan has been adopted.
Monitoring measures				
38	Measures proposed for	Directive	Yes	Monitoring indicators are proposed in Section 6 of the SA Report published in

	monitoring are clear, practicable and linked to the indicators and objectives used in the SEA.	2001/42/EC Article 5 (1) i		2010 and Section 7 of the SA Report published in 2012.
39	Monitoring is used, where appropriate, during implementation of the plan or programme to make good deficiencies in baseline information in the SEA.	Directive 2001/42/EC Article 10	N/A	This will be an ongoing process after adoption of the Local Plan through the Annual Monitoring Review.
40	Monitoring enables unforeseen adverse effects to be identified at an early stage. (These effects may include predictions which prove to be incorrect.)		N/A	This will be an ongoing process after adoption of the Local Plan through the Annual Monitoring Review.
41	Proposals are made for action in response to significant adverse effects.		N/A	The monitoring indicators proposed in Section 6 of the SA Report were selected as a result of the significant effects identified through the SA process.
Appraisal of Significant Changes & SEA Statement				
42	When adopted, the relevant authorities and public are informed and the following are made available: (a) the plan or programme as adopted, (b) a statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report, the	Directive 2001/42/EC Article 9	N/A	To be considered post examination. The Council will need to produce and publish a SA/SEA Adoption Statement that summarises how sustainability considerations have been integrated into the Plan and how the Environmental Report and consultation responses have been taken into account to inform decision making as well as the reasons choosing the Plan in light of other reasonable alternatives. It will also need to set out the monitoring measures.

	opinions expressed pursuant to Article 6 and the results of consultations entered into have been taken into account and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with. c) the measures decided concerning monitoring in accordance with Article 10.			
42	An SEA is undertaken of changes likely to have a significant effect. Note: An environmental assessment need not be carried out for a minor modification to a plan or programme unless it is likely to have a significant effect.	Part 2 (6) The Environmental Assessment of Plans and Programmes Regulations 2004	Yes	Changes to the Local Plan made after the Proposed Submission consultation were considered and screened through an SA Addendum (Jan 2013). It is recommended that any further changes to the Local Plan should be considered through the SA. Recommendation: C3
NPPF requirements				
43	Para 165. A sustainability appraisal...should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.	NPPF	Yes	Ongoing, the SA has been an integral part of the plan-making process, helping to inform the development and selection of alternatives as well as the development of policies.

44	Para 167. Assessments should be proportionate, and should not repeat policy assessment that has already been undertaken.	NPPF	Yes	Ongoing, the SA of the Local Plan is proportionate and does not repeat assessment that has been undertaken already.
45	Para 167. Wherever possible the local planning authority should consider how the preparation of any assessment will contribute to the plan's evidence base.	NPPF	Yes	The SA is presented as part of the evidence base.
46	Para 167. The process should be started early in the plan-making process and key stakeholders should be consulted in identifying the issues that the assessment must cover.	NPPF	Yes	The SA process began in 2009 with the production of the Scoping Report (2009), which was sent to statutory consultees and wider stakeholders for consultation from 29 April to 03 June 2009.

Appendix II: Inspector's Preliminary Findings - SA Concerns

Inspector's Preliminary Findings First Issue – Yeovil Growth Options	Draft Response
<p>Council's Sustainability Objectives</p> <p>8. Figure 4.1 (page 18) sets out the SA objectives but there is no detailed explanation of how they have been drawn up or their relationship to the guidance on delivering sustainable development as contained within the National Planning Policy Framework (NPPF). The reference to national policy is included in a single paragraph (5.2.2). I have taken into account the Report to Full Council regarding the implications of the NPPF for the emerging Core Strategy - 23.04.12 (CD133) but the relationship between the NPPF and the formulation of the objectives is not clear.</p> <p><i>This aligns with the independent review findings & recommendations A1, A2, A3, C1 and C4.</i></p>	<p>The detailed explanation of how the SA objectives were developed was provided in Section 6 of the SA Scoping Report (Sept 2009). Baseline information and a review of plans, policies and programmes were used to identify key sustainability issues for the District. The key sustainability issues then informed the development of the SA Objectives. The Draft NPPF and its implications for the SA were considered in the review of plans, policies and programmes presented in Appendix 1 of the SA Report (2012). The plans, policies and programmes review will be updated as part of the further SA work for the Local Plan.</p> <p>To explicitly demonstrate the relationship between the SA and the NPPF (as implemented) the further SA work will ensure that the SA Framework is clearly linked to the NPPF.</p>
<p>(1) Improve access to essential services and facilities</p> <p>9. The Council refers to several key services (for example the bus station, college, hospital and retail centre) as being in the town centre which is to the south east of the town. The Council concludes that post-mitigation scores can only be improved for options 10 (East Coker/Barwick/Keyford) and 11 (Over Compton). The northern option remains scored as a double negative.</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will take this into account and clearly justify any differences in appraisal between the options in terms of access to services.</p>

<p>10. In terms of distance from the town centre parts of both options 10 and 11 would be similar to the distance from parts of the northern option and the map of bus routes in the area (SSDC H24) confirms that there are services which run close to all the options and there is no reason to conclude that wherever the location of the urban extension it could not be served by buses (see also my comments on objective 8).</p> <p>11. In terms of walking and cycling, the topography around the town would act as a deterrent to many people wherever the extension was located and in any event it is unclear how many residents seeking to use the key services referred to above would walk or cycle. Such means of travel may be most appropriate for the journey between home and work but as the urban extension would be 'exceptionally self-contained' the need for residents to travel to the town centre for such purposes may be relatively small.</p> <p>12. With regard to the proximity of the two railway stations I agree that they are closer to options 10 and 11 but again there is no reason to suppose that appropriate bus links could not be provided from all the options. In any event it is not clear what the role of services from the two stations is in meeting the travel needs of Yeovil residents (although the Council states that travel by train is 'significantly lower' than by other forms of transport) and therefore I cannot attach significant weight to the services that they provide.</p> <p>13. In terms of access to services and facilities there is little to differentiate between the four areas of search.</p>	
<p>(2) Reduce poverty and social exclusion</p> <p>14. All options score positively but Option 10 has been given a post mitigation double positive because of the proximity of one of Yeovil's most deprived wards. This appears to be a reasonable conclusion to draw but none of the options have a negative score and although weight should be attached to the consequences of supporting option 10, in terms of reducing poverty and social exclusion, the differences between the options are not substantial.</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will take this into account and consider the potential effects of the options on deprived wards. It will also clearly indicate and justify if a particular option has the potential for a greater significant positive effect on this SA objective.</p>
<p>(3) Provide sufficient housing to meet identified needs of the community</p>	<p>Noted. Whilst the SA findings are considered by the</p>

<p>15. All four options score double positives and there is therefore no significant differentiation between the four areas of search.</p>	<p>Council in its selection and evaluation of options, they are not the sole basis for a decision. The whole SA Framework needs to be taken into account in a comparative assessment as there are not always differentiators for each SA Objective.</p>
<p>(4) Improve health and well being</p> <p>16. Reference is made by the Council to Yeovil Hospital being to the south of the town centre whereas in fact it lies to the north of the town centre.</p> <p>17. Option 10 has been given a double positive because of its location adjacent to the town centre and the Yeovil Country Park. Whilst part of the direction of growth would be close to the town centre little weight appears to have been given to the topography of this area and in particular the constraints on cycling and walking imposed by Hendford Hill (and the fact that to reach the hospital people would have to travel across the town centre).</p> <p>18. The Council acknowledges that housing development should make suitable provision for new health and leisure facilities to meet identified demand – in line with the objective of self-containment. In terms of facilities for walking and cycling most areas of search around the town display similar characteristics. In terms of open space provision the Council refers to the potential for the Yeovil Country Park, which lies to the south of the town, to be enlarged through development nearby. There is no reason to doubt that this could be achieved but similarly there is no reason to conclude that appropriate open space could not be provided as part of a Masterplan for any of the areas of search.</p> <p>19. The February 2010 SA acknowledges the consequences of the area's topography but nevertheless gives a double positive post mitigation score to the Barwick/Keyford area. This is replicated in the August 2010 SA. The northern option (in Feb 2010) is given a double negative in both pre and post mitigation circumstances. It is given a single negative in the August assessment. I do not consider that the evidence justifies the significant difference between the scores of these two options. On this basis there is little</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will take this into account and clearly justify any differences in appraisal between the options against this SA objective.</p>

to significantly differentiate between the four options.	
<p>(5) Improve education and skills of the population</p> <p>20. All four options receive positive scores in relation to this objective, although option 10 has been given a double positive. The reason given is that because secondary school education in the town currently favours the north, development to the south would be the most beneficial. However, only the equivalent to 0.5 secondary school provision would be required and there is no substantive evidence that would enable me to conclude that such provision could not be provided by increasing capacity on existing school sites, thus supporting the concept of development, for example to the north of the town.</p> <p>21. On this basis there is little to differentiate between the options.</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will clearly justify any differences in appraisal between the options in terms of access and improvement to education.</p>
<p>(6) Reduce crime and fear of crime</p> <p>22. All options score the same and there is therefore no significant differentiation between the areas of search.</p>	<p>Noted. Whilst the SA findings are considered by the Council in its selection and evaluation of options, they are not the sole basis for a decision. The whole SA Framework needs to be taken into account in a comparative assessment as there are not always differentiators for each SA Objective.</p>
<p>(7) Support a strong diverse and vibrant local economy</p> <p>23. All options score positively with option 8 (Brympton) scoring a double positive because of its location close to existing employment areas and the strategic road network.</p> <p>24. Bearing in mind the exceptional self-sufficiency that is anticipated by the Council I consider there is little justification for a significant differentiation between the areas of search.</p>	<p>Noted, this will be considered further in the re-appraisal of strategic growth options for Yeovil.</p>
<p>(8) Reduce the effect of traffic on the environment</p> <p>25. In terms of cycling and walking, the Council acknowledges that there are 'significant topographical barriers' to travel for walkers and cyclists with regard to option 10. There are also disadvantages associated with the other potential directions of</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will provide further commentary to justify any differences in appraisal between the options.</p>

<p>growth. In terms of bus services the Council states that although services to the south of the town are less frequent, growth in this direction would represent the greatest opportunity for an improved service. However, there is no reason to suppose that existing services elsewhere in the town could not be improved to accommodate demand from an urban extension. Similarly there is no evidence to suggest that bus links to Yeovil Junction station could not be provided from areas other than to the south of the town.</p> <p>26. Several respondents questioned whether significant improvements to bus services in Yeovil would be achievable. On the evidence submitted I am unable to draw any definitive conclusions but it would seem there is little to choose between the growth options in this regard.</p> <p>27. The Transport Vision for Yeovil introduces eight 'seed projects' including the improvement of cycling and walking routes, a public transport 'figure of 8' and what is described as active access over the A30. There is no reason to conclude that wherever the location of the urban extension it would not benefit significantly from the identified seed projects.</p> <p>28. With regard to private transport all options receive a negative score and overall, in terms of reducing traffic, there is little to differentiate between the options.</p>	
<p>(9) Protect and enhance the landscape and townscape</p> <p>29. The protection and enhancement of the landscape is an important objective and, within the parameters that it was prepared, there is no reason to doubt the findings of the Peripheral Landscape Study. However, the Study (in relation to Yeovil) was published in September 2008 and paragraph 8.2 confirms that at that time consideration was being given to a major urban extension of about 5,000 dwellings and a 1,500-2,000 dwelling secondary Greenfield development (i.e. a total of 6,500 to 7,000 dwellings). The local plan is only proposing a total of 2,500 dwellings with only 1,565 being built within the plan period. This is a significant reduction in the scale of development that has to be accommodated and whilst there may still be significant constraints in terms of landscape, these have not been re-appraised in light of the lower</p>	<p>The Peripheral Landscape Study for Yeovil has been updated to inform the re-appraisal of options. This work will firstly evaluate the landscape and visual sensitivities of the town's margins and then consider the capacity of the landscape to accommodate growth (including possibilities for mitigating negative effects).</p> <p>The re-appraisal of strategic growth options for Yeovil will be informed by the updated Peripheral</p>

<p>level of proposed development.</p> <p>30. There also appears to have been little emphasis placed by the Council on the opportunities to improve the landscape and seek to assimilate any development into the setting of the town. NPPF paragraph 58 advises that planning policies should aim to ensure that development would respond to local character, reflect the identity of local surroundings and be visually attractive as a result of appropriate landscaping. The Council is seeking to ensure that any urban extension would follow the Garden City principles and reference has been made to achieving 40% greenspace. The aforementioned principles include the provision of generous greenspace linked to the wider countryside and the use of high quality imaginative design. There is no reason why this objective should not also include a requirement for measures to be included in any Masterplan that would ensure that any urban extension would be satisfactorily assimilated into the setting of the town.</p> <p>31. The Landscape Evidence that was submitted by the Council in relation to the South Somerset Local Plan Inquiry (2003)⁶ concludes that land at Keyford (which forms part of the proposed SUE) is 'clear to view from a number of sensitive local vantage points, from many of which it is seen as visually and topographically prominent and from whence a major impact of change would be perceived'. Development would be 'incongruous' and 'intrusive'. I have given some weight to these earlier conclusions because I agree that new development may be visually prominent from some viewpoints, for example from in the vicinity of Darvole Farm on the road between the A37 and Sutton Bingham.</p> <p>32. Similarly views of development to the north of the town may also be significant, although as I travelled between Yeovil Bridge, Over Compton, Hummer and Mudford I saw that development already breaches the skyline in a number of locations and that the development underway at Wyndham Park flows down the slope of the escarpment.</p> <p>33. I consider that the challenge to assimilate development into the setting of the town is significant in whichever direction growth is proposed and although I acknowledge the constraints identified in the Landscape Study for other locations around the town, the</p>	<p>Landscape Study and will more clearly set out potential mitigation measures for options.</p>
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<p>assessment was based on a significantly higher level of projected growth and did not substantively assess mitigation measures. There is little evidence to demonstrate that mitigation measures are not available to successfully assimilate development into the setting of the town, at a number of locations around Yeovil.</p> <p>34. In terms of protecting and enhancing the landscape, there are similar issues to be addressed in all the areas of search.</p>	
<p>(10) Conserve and where appropriate enhance the historic environment</p> <p>35. All options have been given a neutral post-mitigation score and on that basis there is no significant differentiation between the areas of search. However, paragraph 4.2.6 of the Historic Environment Assessment (HEA) confirms that between Chilthorne Domer and Mudford (character areas 12 to 15) there is a high or moderate-high capacity to accommodate built development (in terms of protecting the historic environment). This area covers a significant part of the northern area of search. It is only as one approaches Montacute House and Parkland¹⁰ to the west that sensitivity increases.</p> <p>36. Nevertheless the Council's overall conclusion is that the whole of the northern option should be scored a pre-mitigation double negative. This is the same as Option 10 which includes a Scheduled Monument and which it is concluded in paragraph 4.2.11 of the HEA has only moderate capacity to accommodate new development.</p> <p>37. The scoring with regard to this objective does not reflect the differentiation between the areas of search in terms of conserving the historic environment.</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will clearly justify any differences in appraisal between the options for potential effects on the historic environment.</p>
<p>(11) Reduce contribution to climate change and vulnerability to its Effects</p> <p>38. It is stated that the northern option would have little potential for energy saving from solar gain and it is therefore given a pre-mitigation score of double negative. However, there is no substantive evidence that this would necessarily be the case and even if it was, this may be balanced by the fact that the area to the north experiences higher</p>	<p>Noted, this will be considered further in the re-appraisal of strategic growth options for Yeovil.</p>

¹⁰ The references to Tintinhull Historic Park and Garden on page 12 of SA Appendix 5C were confirmed by the Council, at the resumed Hearing session, to be errors

<p>wind speeds which could facilitate energy from wind.</p> <p>39. There is little to differentiate between the options.</p>	
<p>(12) Minimise pollution (including air, water, land, light, noise) and waste production</p> <p>40. In terms of pollution it appears that all the options have been given a single negative score.</p> <p>41. It is under this heading, however, that agricultural land classification has been referred to by the Council. There is no separate objective seeking to protect higher quality agricultural land and there is no reference in paragraph 5.2.2 to this national objective. The weight given to this objective by the Council appears to be less than to other issues that relate to the delivery of sustainable development. There is no discussion on the issue under either the February or August 2010 SAs, although the Council has concluded that option 10 should be given another negative (making it a double negative) because it would utilise Grade 1 agricultural land.</p> <p>42. The NPPF in paragraph 112 states that 'where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.</p> <p>43. The Statement of Common Ground that relates to the proposed SUE9 states that part of the area, for reasons of droughtiness, may be grade 2 and it is stated that similar droughtiness issues may apply to other land within this location. If the Council is not relying on the former Ministry of Agriculture, Fisheries and Food (MAFF) plans in this area, then there appears to be no justification for relying on them at other locations around the town. The consideration of alternative locations for an urban extension must be assessed on a consistent and fair basis.</p> <p>44. All the options would involve development on agricultural land but it is only option 10 which, according to the MAFF plans, is primarily Grade 1. The advice in the NPPF does not appear to be appropriately reflected in the SA and I am not satisfied that the Council has attached sufficient weight to seeking the use of poorer quality agricultural</p>	<p>As noted, the decision-aiding question relating to the loss of agricultural land sits under SA Objective 12 (Minimise pollution (including air, water, land, light, noise) and waste production) in the SA Framework. The loss of agricultural land needs to be considered alongside the other decision-aiding questions under SA objective 12. The re-appraisal of strategic growth options for Yeovil will consider the potential loss of agricultural land and will clearly set out how this informs the significance of the effects identified for SA Objective 12.</p>

land. As an aside I note that part of the Council's vision for 2028 is the retention of a viable agricultural base with high quality local food production.	
<p>(13) Manage and reduce the risk of flooding</p> <p>45. All options are given a post-mitigation neutral score and bearing in mind the advice of the Environment Agency that measures can be introduced to reduce flood risk and provide drainage, this is an appropriate approach. There is therefore little between the 4 options in this respect.</p>	<p>Noted. However, mitigation may be more difficult and costly for certain options and more readily achieved with others, including enhancement for other water ecosystem functions such as green infrastructure, biodiversity and recreational use. This will be more clearly set out in the re-appraisal of options.</p>
<p>(14) Conserve and enhance biodiversity and geodiversity</p> <p>46. The supporting text relating to objective 14 only refers to options 8, 10 and 11 and there is no reference to the northern option, which is given a double negative score. The Ecological Assessment of Potential Strategic Housing Sites (CD65) refers to 6 potential strategic development sites around Yeovil. For Yeovil South, serotine and pipistrelle bats have been identified as potentially being affected – hence the final element of policies YV2 and YV3. For Yeovil North only serotine bats are identified and for East Mudford Hill, Daubenton's bats and otters have been identified but for the latter it is concluded that any impact would be not significant/extremely unlikely.</p> <p>47. The paragraph relating to post-mitigation measures (page 17) states that 'opportunities exist to incorporate open space and green infrastructure within developments retain the most important wildlife routes avoid protected species and build in mitigation through design and layout'. No reason is given as to why these principles can not equally apply to a northern option. It is therefore not clear why the northern option is scored more negatively than the other options.</p>	<p>Noted, the re-appraisal of strategic growth options for Yeovil will more clearly set out the potential effects of options on biodiversity, including potential measures to mitigate adverse effects and opportunities for ecosystem enhancement.</p>
<p>Appendix 5d</p> <p>48. Turning now to the SA of the three options considered post 'preferred options' – sustainable urban extensions (i) to the south and west of the town (the Yeovil Sustainable Urban Extension); (ii) to the north west; and (iii) a multi-site option.</p>	<p>Noted, this will be considered in the re-appraisal strategic growth options for Yeovil.</p>

<p>49. For each of the three options the recommended mitigation for objectives 1, 2, 4, 5, 7 and 8 all refer to ensuring that services and facilities are provided on site – an approach that has been taken consistently throughout the process.</p> <p>50. The two objectives, however, where consistency appears to be lacking are:</p> <p>(i) protecting the landscape – objective 9</p> <p>All three options in appendix 5d score a single negative, from which I conclude there is little to differentiate them. However, under the SA of the 6 strategic growth options, the comparable south and west option (option 9 Keyford/South) is scored a single positive, whereas option 4 (Lufton), which is comparable to the north west option, is scored a zero (post mitigation).</p> <p>(ii) minimising pollution (includes impact on agricultural land) – objective 12</p> <p>Under the south and west extension (Appendix 5D) the fact that the land is classed as best and most versatile agricultural land is acknowledged and a single negative is scored. This is the same as the north west option and the multi-site option, where there is less grade 1 land. Under the 6 growth options (Appendix 5B), options 9 and 10 (Barwick/Keyford) are given double negatives and option 4 a single negative but in Appendix 5D all three options are given a single negative. There appear to be inconsistencies in the scoring.</p> <p><i>This aligns with the independent review findings & recommendations B1 and C2.</i></p>	
<p>Conclusion on First Issue</p> <p>51. In summary I have four concerns regarding the SA:</p> <ul style="list-style-type: none"> • The lack of weight attached to the need to seek to use areas of poorer quality agricultural land in preference to that of higher quality (bearing in mind that 	<p>Noted, please see previous response with regard to agricultural land.</p>

<p>once lost such high quality land cannot be retrieved);</p> <ul style="list-style-type: none"> • The lack of substantive evidence to demonstrate that there are significant differences in terms of landscape impact between several of the options that have been considered. • Opportunities for mitigation, primarily through layout and design do not appear to have been sufficiently addressed; <ul style="list-style-type: none"> • Lack of consistency regarding the consideration of protecting and enhancing the historic environment; and • Lack of clarity regarding the scoring for objective 14 – conserving and enhancing biodiversity and geodiversity. <p>52. I am not saying that had these four concerns been adequately addressed, then the Council would not have identified land to the south of the town for a sustainable urban extension – it may well still have scored best. However, on the evidence submitted I cannot be sufficiently certain that the most appropriate location for a sustainable development of about 2,500 dwellings has been selected.</p>	<p>Noted, please see previous response with regard to the landscape.</p> <p>While the re-appraisal of strategic growth options for Yeovil will consider and more clearly set out potential strategic landscape mitigation measures for options, including possibilities for mitigation at the project level, it will not go into detail with regard to the layout and design of proposed development as this is a matter for lower level planning and assessments.</p> <p>Noted, please see previous response with regard to the historic environment.</p> <p>Noted, please see previous response with regard to SA Objective 14.</p>
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