

Appendix 3

Cardiff Local Development Plan 2006 to 2026

Adoption Statement

January 2016

Background

In accordance with the requirements of Regulations 25 (2) of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2005 and Regulation 16 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, the Council is required to prepare an Adoption Statement for the Cardiff Local Development Plan. Part 1 of the statement addresses the requirements of the Town & Country Planning (Local Development Plan) (Wales) Regulations 2005 and Part 2 accords with the requirements of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

Part 1: LDP Statement of Adoption

- 1.1 The Cardiff Local Development Plan (LDP) was adopted on the 28th January 2016. The LDP became operative on its adoption. The Cardiff LDP is the planning policy document for the City and County of Cardiff. It sets out key policies and land use allocations that will shape the future of the city and guide development up to 2026. The Cardiff LDP replaces the existing adopted development plans for the city comprising the South Glamorgan (Cardiff Area) Replacement Structure Plan 1991 to 2011, South Glamorgan (Cardiff Area) Minerals Local Plan, City of Cardiff Local Plan and Mid Glamorgan County Structure Plan incorporating Proposed Alterations No. 1 (1981 to 1996).
- 1.2 Copies of the adopted LDP, the report of the Planning Inspectors appointed to hold the independent examination, the Sustainability Appraisal (SA) report (incorporating the Strategic Environmental Assessment SEA) and Habitats Regulations Assessment together with this Adoption Statement are available for inspection at County Hall, Atlantic Wharf, Cardiff CF10 4UW between the hours of 9.00am and 4.30pm Monday to Fridays, at all Public Libraries during normal opening hours and on the Council's website at:

www.cardiff.gov.uk/localdevelopmentplan
- 1.3 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 the date specified on the adoption notice make an application to the High Court under Section 113 of the 2004 Act.

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

Introduction

- 2.1 The LDP provides a spatial framework which is underpinned by the principles of sustainable development. The LDP provides a policy framework that integrates social, environmental and economic issues that are relevant to the people who live, work and visit the City and County of Cardiff. This section of the Adoption Statement describes how the SA/SEA process has influenced the progression of the LDP and how environmental considerations and consultation responses have been taken into account during the development of the Plan. It also notes why the Deposit LDP was progressed in the light of other reasonable alternatives and highlights the measures that have been developed to track the effects of the Plan. The SEA Regulations require that a 'statement' be made available to accompany the adopted plan or programme. The Regulations require that this post 'Adoption Statement' provides the following information:
- How environmental considerations have been integrated into the LDP;
 - How the Environmental Report (the SA/SEA Report) has been taken into account;
 - How opinions expressed in relation to the consultations on the plan and Environmental Report (the SA/SEA) have been taken into account;
 - How the results of any transboundary consultation have been taken into account;
 - The reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with; and
 - The measures that are to be taken to monitor the significant environmental effects of the implementation of the Plan.
- 2.2 Each of these requirements, set out in paragraph 2.1 above, is dealt with in turn below. It should be noted that a substantial amount of information relating to these matters is contained within existing documents such as the final SA/SEA Report, Consultation Report (submitted document LDP.052) and the Inspectors Report. In accordance with paragraph 8.4.2.3 of the Local Development Plan Manual (Edition 2, August 2015), rather than duplicate this material, appropriate cross references are made to relevant documents within this statement.
- 2.3 The LDP was also subject to a Habitats Regulations Assessment (HRA) which was carried out in parallel to the SA/ SEA process. The HRA assessed the impacts of LDP in combination with the effects of other plans and projects on European sites designated for their ecological status. This assessment also accompanied the Deposit LDP and adopted Plan and was reported separately.

How environmental considerations have been integrated into the Local Development Plan

- 2.4 The LDP has been subject to a Strategic Environmental Assessment (SEA) in order to consider the potential impact of the Plan on the environment and to improve the LDP's environmental performance. The SEA and Sustainability Appraisal (SA) processes have been undertaken in parallel and integrated within the Sustainability Appraisal Report and other SA/SEA related documents. A Habitats Regulations Screening Assessment has also been undertaken, which concluded that the LDP will not have a significant effect on European sites, alone or in-combination with any other plans or projects. The SA (incorporating SEA) has been prepared by the Council in conjunction with Levett Therivel Sustainability Consultants. The SA process is intended to assist in the implementation of the LDP with a view to delivering sustainable development in Cardiff. The SA has gone through several stages. A Scoping Report to provide the background to the SA process was finalised in January 2011. This was made available for public consultation in 2010. The Scoping Report sets out a baseline along with the SA objectives. A table appraising the SA Scoping Report consultation responses received, and the actions required for the SA Stage B Environmental Report, was included as an appendix in the initial SA report was published for consultation in October 2012 alongside the pre deposit Preferred Strategy documents.
- 2.5 This Initial SA reviewed 3 growth options and 8 spatial scenarios to deliver this growth. This formed part of an iterative approach to Plan making. The SA report went to Council on 26th September 2013 along with the deposit LDP. The deposit LDP, SA/SEA report, the Non Technical Summary along with 8 appendices, was placed on Deposit for consultation alongside the LDP in mid October 2013. Guidance for proponents for alternative sites in relation to SA requirements was also published by the Council.
- 2.6 The SA Report was submitted in August 2014 ahead of the LDP Examination. In response to agreed actions at the LDP Examination, the Council published two rounds of Matters Arising Changes (MACs) for consultation in June 2015 and October 2015 respectively. An update to the Sustainability Appraisal and Habitats Regulations Assessment reports taking into account the implications of these changes were also made available to accompany each of the consultations.
- 2.7 The outcome of the Inspector's assessment of the LDP, along with recommendations and reasons for them have also been subject to due consideration and been incorporated into the final SA/SEA and HRA reports.

How the environmental report has been taken into account

- 2.8 The SA/SEA and LDP were developed in parallel, with each stage of the SA/SEA informing and influencing the preparation and progression of the LDP.

SA Scoping

- 2.9 The first stage of the SA was a scoping exercise to identify the main sustainability issues in the plan area, to set out the approach to SA and the sustainability framework (i.e. the objectives). This stage was finalised in January 2011 and was made available for public consultation in 2010.
- 2.10 It is a statutory requirement in the SEA Directive for named environmental consultation bodies (Natural Resources Wales and CADW) to be consulted at this scoping stage. This was the case for the SA for the LDP, however it was decided to widen this to a full public consultation. The SA was also utilised in the formulation of the LDP issues, vision and Strategic Objectives.

Initial SA Report – Pre deposit stage

- 2.11 At this stage, an Initial SA Report was produced to consider the relative sustainability impacts of implementing alternative strategic growth and spatial options. As well as the sustainability impacts of the chosen approach, the LDP at this stage contained policies for implementing the Preferred Strategy. Each policy was appraised against the sustainability objectives using a standardised matrix to ensure a systematic appraisal. This document was published alongside the Preferred Strategy for consultation in 2012. An assessment of growth and spatial options was undertaken. This formed part of an iterative approach to Plan making.

The Assessment and Selection of Sites

- 2.12 The assessment and identification of sites was undertaken in accordance with a detailed site assessment methodology and appraisal criteria. This process allowed for the review of a range of issues, including a site's contribution to sustainable development and other matters such as environmental factors, flood risk factors, transportation factors, neighbourhood, community and place making factors and infrastructure and deliverability factors.
- 2.13 In determining where housing and employment growth could be directed spatially, the planning team considered the existing land bank of housing and employment land, scheduled completions, windfall sites and information received from landowners and developers on potential candidate sites. This resulted in 112 possible development sites.
- 2.14 Various combinations of sites were also considered:

- North west transport corridor- Candidate sites south of Creigiau, north of Junction 33 of the M4, sites to west of Fairwater and Radyr
- North east- Several candidate sites located between Lisvane and Pontprennau plus the site located east of the Pentwyn Link Road
- St Mellons Village- A collection of relatively small candidate sites in a well-defined area around the fringes of St Mellons Village which collectively cover about 57 hectares
- Land north of Junction 33 of M4 / south of Creigiau
- Land south of St Mellons Business Park.

2.15 The following enlarged sites were also appraised:

- North west Cardiff submission extended slightly to the west up to Croft Y Genau Road
- North west Cardiff extended north towards M4
- North west Cardiff extension to the west
- Land north of Junction 33
- Cardiff Central Enterprise Zone – Since the candidate sites were submitted, the Welsh Government have designated the Cardiff Central Enterprise Zone in April 2012. This covers a much larger geographical area than the 3 small candidate sites previously submitted.

2.16 A modified approach was taken to the appraisal of individual candidate development sites. It is not possible, at the plan-making stage, to know precisely what kind of development will go on each site, for instance what combination of housing, employment and infrastructure a developer will propose when they make a planning application; or what site layout and development design they will propose. For other aspects of sustainability, like waste management, the choice of development sites will not affect the impact. As a result these topics were not assessed for individual sites. On the other hand, detailed information is available on some other sustainability topics: for instance, whether they are near sites of nature conservation importance or in areas of flood risk.

2.17 To ensure full integration between the plan-making and SA processes, one joint planning/SA pro forma was agreed by the SA and planning teams, and was filled in by the planning team for each candidate development site. The pro forma took into account the feasibility and applicability of potential mitigation measures. More detail on the assessment and selection of sites and the SA/SEA recommendations is provided in the SA/SEA documentation.

SA of the Deposit LDP

2.18 The SA report went to Council on 26th September 2013 along with the deposit LDP. The deposit LDP SA report, the non technical summary along with an annex containing the SA assessment of sites, was placed on Deposit for consultation alongside the LDP in mid October 2013. Guidance for proponents for alternative sites in relation to SA requirements was also published by the Authority. As part of the formulation of the deposit LDP, the

SA provided an iterative and dynamic sounding board which allowed for the development of a robust Plan and policy framework. Such an input allowed for the consideration of matters relating to site selection and policy formulation.

Matters Arising Changes

- 2.19 In response to agreed actions at the Examination, the Council published two rounds of Matters Arising Changes (MACs) for consultation in June 2015 and October 2015. A Schedule of Implications for Sustainability Appraisal and Habitats Regulations Assessment report was made available to inform/support these consultations. Within the Inspector's report, it states that: *"We are satisfied that these changes are in line with the substance of the overall Plan and its policies, and do not undermine the Sustainability Appraisal (SA) and participatory processes that have been undertaken"*.

Adopted LDP

- 2.20 The SA of the Adopted Plan is the final stage of the process. It is available for viewing alongside the other statutory documents, including the Inspector's Report. The integration of environmental considerations into the LDP has, therefore, been undertaken progressively and iteratively as the Plan has developed. The Scoping Report ensured that the sustainability issues most relevant to the Plan area were identified; and the Strategy and individual policies have been appraised against this framework of Sustainability Objectives. The Inspector's Report states that: *"The Plan has been subject to SA including Strategic Environmental Assessment (SEA). The SA provides a summary of the strategic alternatives considered and a brief summary of reasons why they were not selected. Further changes put forward by the Council as part of the examination process have likewise been tested where necessary for any impacts they have upon the SA and SEA. We are satisfied that the SA/SEA process undertaken is robust and satisfies procedural and legal requirements"*. Furthermore, the Inspectors states that *"In accordance with the Habitats Directive a Habitats Regulations Assessment (HRA) of the Plan has been undertaken⁸, and reviewed as necessary in the light of changes put forward during the examination. We are satisfied that the results of the HRA Screening demonstrate that an Appropriate Assessment is not required. It can therefore be concluded that no significant effects upon the integrity of the European sites within the plan area or in adjacent areas are likely to occur (either alone or in combination with other plans or projects) as a result of implementing the Plan"*.

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

- 2.21 The SA/SEA process and has been undertaken in accordance with: Article 6 of the EU Directive 2001/42/EC; the Environmental Assessment of Plans and Programmes Regulations 2004; and the Council's Community Involvement Scheme (CIS). There is a statutory requirement to consult with the relevant named bodies. In addition consultation should be undertaken with the public

and a wider range of interested stakeholders. Consultation with the full range of stakeholders was undertaken at the following key stages:

- SA/SEA Scoping (2010);
- SA/SEA Pre Deposit Proposals (2012); and,
- SA/SEA of Deposit LDP (2013)
- SA/SEA of MACs (2015).

How the results of any transboundary consultation have been taken into account

2.22 No transboundary issues were raised through the SA process.

2.23 The habitats Regulations Assessment of the LDP considered the effects of the LDP beyond the Cardiff administrative boundary in respect of the impacts on European sites of nature conservation importance. It was concluded that with the mitigation measures incorporated into the Plan, the implementation of the LDP would not result in a likely significant effect on any European Site either alone or in combination with other plans and projects.

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

2.24 As part of the development of the LDP, the Council considered a range of spatial and policy options. Three growth options and eight spatial growth options to deliver this growth were considered through the Pre-Deposit Proposals (which incorporated the Preferred Strategy) and were subject to SA/SEA (2012). In order to achieve the Vision and Objectives of the LDP, the Council chose to implement growth option B –Medium growth which proposed 41,100 homes and 40,000 jobs and 5 out the 8 spatial growth options were chosen to deliver the growth comprising dispersed brownfield sites, greenfield sites west of Pentrebane, greenfield sites south of Creigiau/north of junction 33, greenfield sites west and east of Pontprennau and greenfield sites in the east. More detail on the consideration of options and the SA/SEA recommendations is provided in the SA/SEA documentation.

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

2.25 LDP Regulation 37 requires the Council to prepare, and subsequently submit to Welsh Government, an Annual Monitoring Report (AMR). This is required to monitor specific items, as well as identifying where and why policies of the Plan are not being implemented. Regulation 17 of the SEA regulations requires that the Council must monitor the most significant effects of the Plan. Therefore, monitoring the Plan and its significant environmental effects are statutory requirements and will be undertaken through the AMR. The Monitoring Framework, as set out within Appendix 9 of the Adopted LDP, provides the basis for measuring policy performance. In this respect, the

implementation of the LDP will be monitored with appropriate regard to the objectives and outcomes of the SA/SEA.

- 2.26 Monitoring the Plan and its significant environmental effects are statutory requirements that will be undertaken through the AMR. The first AMR will be submitted to Welsh Government by 31st October 2017.

Further Information

- 2.27 If you have any queries or would like further information please contact a member of the LDP team on 029 2233 0983 or by emailing LDP@cardiff.gov.uk.