



**Planning and Compulsory Purchase Act 2004**

**The Environmental Assessment of Plans and  
Programmes (Wales) Regulations 2004**

**The Town and Country Planning (Local  
Development Plan) (Wales) Regulations 2005**

**CONWY LOCAL DEVELOPMENT PLAN  
2007 – 2022**

**ADOPTION STATEMENT  
(including SA/SEA statement)**

## 1.0 Introduction

1.1 When a Local Planning Authority adopts its Local Development Plan (LDP), it is required to produce and publish an adoption statement in accordance with Regulation 25(2) of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005. Regulation 16 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 also requires the production and publication of a strategic environmental assessment/sustainability appraisal statement as part of the Local Development Plan adoption process. This document has been produced to satisfy the requirements of both regulations.

## 2.0 Part 1: Local Development Plan Statement of Adoption (*Regulation 25(2) of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005*)

2.1 The Conwy Local Development Plan 2007 – 2022 was adopted and became operative on 24<sup>th</sup> October 2013. The adopted Local Development Plan forms the development plan for the Conwy County Council area and will be the basis for decisions on land use planning in the area. The adopted Local Development Plan replaces the following:

- Colwyn Borough Local Plan (1999)
- Llandudno/Conwy District Plan (1982)
- Clwyd Structure Plan (1999)
- Gwynedd Structure Plan (1993)

In addition, the Conwy Affordable Housing Delivery Statement (adopted 2007) will be cancelled as the LDP policies replace this interim guidance.

2.2 Copies of the adopted Local Development Plan including Proposals Maps, the Binding Inspectors' Report, Sustainability Appraisal Report (incorporating the Environmental Report), Habitats Regulation Assessment and Adoption Statement (this document) are available for inspection free of charge in the following locations.

- Council Offices, open Monday-Thursday 8.45am–5.15pm and Fridays 8.45am–4.45pm:
  - Strategic Planning Policy Office, Conwy County Borough Council, Muriau Building, Rosehill Street, Conwy, LL32 8LD
  - Civic Offices, Colwyn Bay, LL29 8AR
  - Bodlondeb, Conwy, LL32 8DU
- Local Libraries (please contact individual libraries for opening times)

2.3 A person aggrieved by the Local Development Plan 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 Local Development Plan, may, within six weeks from 24<sup>th</sup> October, 2013, make an application to the High Court under Section 113 of the 2004 Act.

## 3.0 Part 2: Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) Adoption Statement (*Regulation 16 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004*)

- 3.1 When a plan is adopted the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (Regulation 16(4)) require a statement that provides the following information:
- a) How environmental considerations have been integrated into the plan or programmes;
  - b) How the Environmental Report (The SA/SEA Report) has been taken into account;
  - c) How opinions expressed in relation to the consultations on the plan/programmed and Environmental Report have been taken into account;
  - d) How the results of any transboundary consultations have been taken into account;
  - e) The reasons for choosing the plan as adopted, in light of the other reasonable alternatives dealt with; and
  - f) The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan.
- 3.2 The remainder of this document addresses each of these matters in turn. It should be noted however that a substantial amount of information relating to these matters is contained within existing documents such as SA/SEA reports, Consultation Report and Inspectors' Report. In accordance with paragraph 8.5.2 of the Local Development Plan Manual (June 2006), rather than duplicate this material, appropriate cross references are made to relevant documents within this statement.

### **The SA/SEA Process**

- 3.3 The Conwy Local Development Plan (Conwy LDP from this point forward) 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 Plan's environmental performance. Planning legislation also requires that development plans are subject to a broader Sustainability Appraisal (SA); which incorporates social and economic considerations in addition to environmental; and this information has been incorporated into this Adoption Statement. The Conwy LDP was also subject to a Habitats Regulation Assessment (HRA) which concluded that the Conwy LDP will not have a significant effect on European sites.
- 3.4 Relevant environmental information is contained within existing published SA/SEA documents listed below. For ease of reference the document number from the Conwy LDP Examination Library has been attached to each document listed.

#### **SA/SEA Scoping Process**

Sustainability Appraisal Report – Scoping Report August 2005 (Ref: PD002)

#### **Pre-Deposit Consultation Stage**

Initial Sustainability Appraisal Report, including Non Technical Summary, July 2006 (Ref: PD010)

#### **Deposit Consultation Stage**

Sustainability Appraisal Report, including Non Technical Summary – Deposit Version (Revised) 2011 (Ref: PD016)

Background Evidence Site Deliverability Assessment 2011 (Ref: EB021)

### **Focussed Changes Stage**

Sustainability Appraisal Report Schedule of Amendments August 2012 (Ref: LDP023)

### **Submission and Examination Stages**

Sustainability Appraisal Report Addendum: Screening of the Planning Inspector's Report and the Matter Arising Changes, July 2013 (Ref: ED042)

Sustainability Appraisal Report Final Version including Non Technical Summary 2013

### **How the Environmental Report (SA/SEA Report) has been taken into account.**

- 3.5 The SA/SEA process has been an iterative one with the preparation of the Conwy LDP. Each stage in the LDP process has been informed and influenced by the SA/SEA.

#### **LDP Participation Stage**

- 3.6 The initial stage of the SA/SEA was to prepare the scoping report. This compiled a baseline characterisation on the borough based on published data and information, and a review of the other plans and programmes in the borough that the SA/SEA should take into account.
- 3.7 The purpose was to establish a set of sustainability objectives as part of a 'sustainability framework' that provides a definition of sustainability development against which the LDP would be tested as part of SA/SEA. The Conwy LDP Scoping Report (Ref: PD002) was made available for public consultation and the baseline helped inform the information data collection for the LDP.

#### **LDP Pre-Deposit Stage**

- 3.8 Appraisal of the Preferred Strategy (pre-Deposit stage) included assessment via the agreed SA framework of a range of high-level options for strategic development. The options were based around different ways of approaching levels of growth, spatial approach and location of growth and high level policies.
- 3.9 The SA considered the three potential growth options for housing and three for employment that were part of background papers to the Conwy LDP. The six potential options for the distribution of growth were assessed. In addition, this initial stage of the SA/SEA included an assessment of the preferred strategy as it was set out in the consultation document at that time.
- 3.10 Detailed assessment of the strategy and associated policies were set out in the Sustainability Appraisal of the Conwy LDP Options Report and Preferred Strategy (July 2006) (Ref: PD010).
- 3.11 A draft of the initial SA/SEA Report was prepared in March 2006. This allowed time for the recommendations to be taken into account by the time of final SA/SEA Reporting in July and consultation on the Pre-Deposit Conwy LDP. A schedule of

how the recommendations were taken into account is included as Appendix 2 of the SA Options Report and Preferred Strategy, July 2006 (Ref: PD010).

- 3.12 In addition, other recommendations and proposed mitigation suggested by the SA were considered further as the Plan progressed and appropriate revisions were incorporated into the Deposit LDP.

### **LDP Deposit Stage and Revised Deposit Stage**

- 3.13 The Council prepared the first Deposit version of the Conwy LDP in 2009. Preparation of this version included taking into account the findings of the SA/SEA and the consultation responses to the Pre-Deposit Plan.
- 3.14 This stage of the SA/SEA included a review and verification of the site assessment work completed by the plan-makers and as reported in Background Paper 21: Site Deliverability Assessment (Ref: EB021). The purpose of the review was to ensure that the site selection process was compatible with SA/SEA in providing a comparative assessment of alternative sites. The SA/SEA Report also included full appraisal of the LDP objectives, strategy and policy. A version of the SA/SEA for this stage was prepared and reported as the Deposit Local Development Framework: Sustainability Appraisal, April 2009 (Ref: ED010).
- 3.15 Following the representations received to the first 2009 Deposit Plan, a revised Deposit Plan 2011 (Ref: LDP001) was prepared. For this the 2009 SA/SEA Report was updated to reflect the content of the revised Deposit Plan. The SA/SEA Report was the revised Deposit Conwy LDP: Sustainability Report, February 2011 (Ref: PD016). The relevant representations received at the 2009 Deposit stage were carried over to the revised Deposit 2011 stage.
- 3.16 Appendix 2 to both the 2009 and 2011 versions of the SA/SEA Reports detail how its recommendations have been taken into account by those preparing the LDP in preparation of the final Deposit version.

### **LDP Focussed Changes**

- 3.17 Representations on the Revised Deposit Conwy LDP were received and a number of changes proposed to the Plan (LDP008). These proposed changes were assessed as part of the SA/SEA process and the results are contained in Sustainability Appraisal Report Addendum Report (Ref: LDP023). Representations on the Deposit LDP were also considered and amendments made as reflected in the Focussed Changes.

### **LDP Matters Arising Changes**

- 3.18 In response to matters raised during the Examination hearing sessions, a series of changes known as Matters Arising Changes arose. A final list of proposed changes including those put forward by the Council and those the Inspector deems necessary to make the LDP sound made up Appendix 1 and 2 to the Inspector's Report. The Matters Arising Changes have been screened to assess if they are likely to have any new or different sustainability implications. This screening was presented in the Sustainability Appraisal Report Addendum: Screening of the Planning Inspector's binding recommendations and Schedule of Matter Arising Changes (July 2013) (Ref: ED042).

### **LDP Adoption**

3.19 A final SA/SEA Report was prepared to make amendments to the SA/SEA Report to ensure it was in keeping with the content of the final adopted LDP, following changes by the Inspector and Matter Arising Changes.

3.20 The Sustainability Appraisal Report has been made available alongside the adopted Conwy LDP on the Council's website and can be viewed at the Council offices.

**How opinions expressed in response to statutory consultations have been taken into account.**

3.22 A number of consultation exercises have been undertaken on the SA/SEA report in accordance with The Environmental Assessment of Plans and Programmes Regulations. This has included consultation with statutory consultees and others at scoping, and public consultation on an SA/SEA report of a draft version of the plan and preparation of a final SA/SEA report.

3.23 **SA Scoping.** In accordance with Regulation 12 (5&6) of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, a SA/SEA scoping report was published for a statutory 5 week minimum consultation in 2005. In addition, during the preparation of the document internal consultation took place with officers from various Council departments to identify data sources and other plans and programmes.

3.24 The Scoping Report was made available for public consultation with a range of consultees, including:

- the three statutory consultees listed under the SEA Regulations, these were the Environment Agency Wales, Countryside Council for Wales (now both within Natural Resources Wales) and Cadw;
- neighbouring authorities;
- utilities providers;
- government agencies;
- charities and environmental interest groups.

3.25 Comments were received to the scoping report and a schedule of responses, including how the SA/SEA would take comments into account, were reported in the 'IN14 Scoping Comments' paper at the Council's Local Development Plan Task & Finish Group 19<sup>th</sup> December 2005. The subsequent stages of the SA/SEA Report incorporate responses to scoping, where appropriate.

3.26 **Pre Deposit Stage.** In accordance with Regulation 15 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, the Sustainability Appraisal Report 2006 (PD010) was published for public consultation alongside the Pre-Deposit Conwy LDP from 11th October to 6th December 2006.

3.27 Consultation responses received are incorporated into subsequent stages of SA/SEA where appropriate. A schedule of comments received and response were reported to the Conwy Borough Council Preferred Strategy to Advisory Panel on 7<sup>th</sup> September 2013 and Member Task & Finish Group on 14<sup>th</sup> September 2013.

3.28 **Deposit Stage and Revised Deposit Stage.** In accordance with Regulation 13 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 and Regulation 17 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, the Sustainability Report 2009 was published for

consultation alongside the Deposit Conwy LDP for 6 weeks in 2009. In preparation of the revised Deposit 2011 a revised Sustainability Report 2011 was prepared and published alongside (Ref: PD016). SA/SEA responses were made available to those preparing the LDP where it had relevance for plan making, and were incorporated into on-going SA process where possible.

- 3.29 **Focussed Changes following Deposit LDP consultation.** Changes were proposed to the Conwy LDP following consideration of representations made during the revised Deposit consultation. As part of the consideration of the changes an SA/SEA addendum was prepared, documented in Sustainability Appraisal Report Schedule of Amendments August 2012 (Ref: LDP023). This was made publically available on the Conwy LDP website as part of the Focussed Changes consultation. No responses were received with regard to this document during the Submission consultation.
- 3.30 **Matters Arising Changes.** The Council proposed additional changes during the Examination process; Matter Arising Changes (MACs). The MACs were subject to SA screening and reported in Sustainability Appraisal Report Addendum: Screening of the Planning Inspector's binding recommendations and Schedule of Matter Arising Changes (July 2013) (Ref: ED042). This was made available as an LDP Examination Document and simply reported findings of the SA/SEA to the Inspector and plan makers.
- 3.31 **Adoption.** The SA/SEA Report of the final adopted Conwy LDP is available alongside the LDP on the Council's website and can be viewed at the Council's offices.

**How the results of any transboundary consultations have been taken onto account.**

- 3.32 The Scoping SA/SEA process did not indicate that the Conwy LDP is likely to have significant effects on the environment of another EU Member State. As such no transboundary consultation was entered into under Regulation 14 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004.

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

- 3.33 Strategic growth options, spatial options, refinement of spatial options, plan policies and development allocations have been considered as part of the Conwy LDP preparation and SA/SEA process. This has included options:
- options for growth and spatial distribution;
  - minor amendments and changes to policy; and
  - choice of sites.

**The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan.**

- 3.32 Regulation 37 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 require the Council to prepare and submit to Welsh Government an Annual Monitoring Report (AMR). This is to track the progress of the LDP's implementation. Regulation 17 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 requires the Council to monitor the

significant environmental effects of the LDP. These statutory requirements to monitor the LDP and its significant environmental effects will be undertaken through the AMR.

- 3.33 The proposed monitoring framework to monitor the significant environmental effects was reported at each stage of SA/SEA Reporting and was open to consultation. The SA/SEA of the Focussed Changes LDP, 2012 (Ref: LDP033), included an update of the proposed monitoring framework as a result of LDP Focussed Changes. This was made available for consultation at that time and no responses were received. The final proposed monitoring framework for the SA/SEA is reported in the SA/SEA Report of the Adopted LDP, Chapter 12 and Appendix 4.
- 3.34 Section 5 of the Conwy LDP contains the Monitoring Framework that provides the basis for monitoring the effectiveness of the LDP policies. The Final SA Report (August 2013) at Appendix 4 and Chapter 11 sets out the Sustainability Objectives and Monitoring Indicators for the SA/SEA. The SA/SEA monitoring framework sets out targets and indicators against each SA objective, adapted from the LDP Plan monitoring framework. The SA/SEA monitoring will be carried out annually and reported as part of the Annual Monitoring Report for the LDP.

#### **Further Advice.**

If you require any further advice or assistance or wish to be placed or removed on the Authority's consultation database, please contact the Strategic Planning Policy Service at:

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