

Sustainability Appraisal (SA) of the Guildford Local Plan: Development Management Policies

SA Adoption Statement

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Table of Contents

1	Introduction.....	1
2	The Plan-making / SA 'story'.....	1
3	Measures decided concerning monitoring	6
4	Conclusions on the SA process	6

1 Introduction

1.1 Background

- 1.1.1 Guildford Borough Council submitted the Local Plan: Development Management Policies (LPDMP) to the Secretary of State for Housing, Communities and Local Government (now Levelling Up, Homes and Communities) on 22nd June 2022 for examination by the Planning Inspectorate.
- 1.1.2 Once in place, the LPDMP will supplement the adopted Local Plan: Strategy and Sites (LPSS, 2019), which deals with strategy and allocates sites for development. Specifically, the LPDMP will provide further and more detailed planning policies for Guildford Borough Council ('the Council') to apply when making development management decisions, i.e. when determining planning applications.
- 1.1.3 The appointed Planning Inspector issued a final report to the Council in February 2023, finding the LPDMP 'sound' subject to main modifications. The next stage is for the Council to formally adopt the LPDMP.
- 1.1.4 A parallel process of Sustainability Appraisal (SA) was undertaken alongside plan-making. SA is a mechanism for considering and communicating the likely effects of an emerging plan, and reasonable alternatives, with a view to minimising negative impacts and maximising positives.

SA explained

- 1.1.5 It is a requirement that SA involves a series of procedural steps. The final step in the SA process involves preparing a 'statement' at the time of plan adoption. This SA Statement presents:
- 1) The 'story' of plan-making / SA up to the point of adoption.
Specifically, there is requirement¹ to: *"summaris[e] how environmental considerations have been integrated into the plan....and how the environmental report... the opinions expressed... and the results of consultations... have been taken into account... and the reasons for choosing the plan... as adopted, in the light of...reasonable alternatives..."*
 - 2) Measures decided concerning the monitoring of plan implementation.
Specifically, there is a requirement to explain *"the measures... to be taken to monitor the significant environmental effects of the implementation of the plan or programme."*

This SA Statement

- 1.1.6 This is the LPDMP SA Statement. It considers **(1)** and **(2)** in turn, and then concludes by presenting a checklist aimed at demonstrating a legally compliant SA process.

2 The Plan-making / SA 'story'

2.1 Introduction

- 2.1.1 Key stages in the plan-making / SA process were as follows:
- 1) Issues, Options and Preferred Options (Regulation 18) **2020**
 - 2) Publication (Regulation 19) **2022**
 - 3) Main Modifications **2022**
 - 4) Inspectors' report **2023**
- 2.1.2 Each of these stages is discussed in turn below.

¹ Regulation 16 of the Environmental Assessment of Plans and Programmes (SEA) Regulations.

2.2 Issues, Options and Preferred Options 2020

- 2.2.1 The Issues, Options and Preferred Options consultation document was published for consultation over a seven-week period between June and July 2020. The consultation document was essentially in the form of a full draft plan with additional commentary on 'alternative options' for each policy.
- 2.2.2 The Interim SA Report published as part of the consultation essentially presented the information required of the formal SA Report, as understood from the Environmental Assessment of Plans and Programmes (SEA) Regulations 2004 (as discussed on page 1 of the report, as well as within Appendix I of the report). This primarily amounts to presenting an appraisal of "the plan and reasonable alternatives" (Regulation 12(2)) and also "an outline of the reasons for selecting the alternatives dealt with" (Scheduled 2(8)).
- 2.2.3 The Interim SA Report was structured in three parts:
- **Part 1** of the report did four things –
 - Explain a decision to explore reasonable alternatives in respect of: **1)** housing density; **2)** biodiversity net gain; and **3)** parking standards.
 - In each case, explain reasons for selecting the alternatives dealt with.
 - In each case, present an appraisal of the reasonable alternatives.
 - In each case, explain GBC officers' reasons for supporting the preferred option.
 - **Part 2** of the report presented an appraisal of the draft plan, concluding as follows:

"Overall the LPDMP is predicted to result in wide-ranging positive effects, although these are predicted to be 'minor' other than in respect of biodiversity (given the proposed approach in respect of biodiversity net gain requirements) and health (numerous proposed policies will act cumulatively...).

The appraisal does not predict negative effects in respect of any sustainability objective; however, uncertain effects are concluded in respect of climate change mitigation objectives. There is inherent uncertainty given the Government's recent consultation on setting new national sustainable design and construction standards, and the appraisal also highlights a degree of tension resulting from the LPDMP proposed approach to housing density (flexible criteria-based) and support for minimum parking standards outside of the town centre.

Moving forward, the Council should take account of the appraisal findings presented within this section alongside responses received as part of the current consultation, when preparing the final draft 'proposed submission' version of the LPDMP. Specifically, the Council should seek to address the uncertainties highlighted in respect of climate change mitigation (also other minor 'tensions' discussed within the appraisal text) and seek to ensure that the predicted positive effects are further enhanced."
 - **Part 3** of the report discussed next steps.
- 2.2.4 Appraisal informed plan-making prior to the consultation (particularly the appraisal of reasonable alternatives) and served to inform the consultation. Consultation responses received informed subsequent plan-making and SA work.
- 2.2.5 For example, within the subsequent SA Report, paragraph 5.2.2 considered consultation responses received in respect of the proposed policy on biodiversity net gain, before then reaching a conclusion on updated reasonable alternatives.
- 2.2.6 Also, a Consultation Statement was published in January 2022, comprehensively recording consultation responses received. There are few instances of consultation responses referencing the Interim SA Report, but it is not necessarily the case that all consultees who benefited from the Interim SA Report will have referenced it in their response. It is noted that the policy that generated comfortably the highest number of comments (see Figure 2 within the Consultation Statement), namely Policy H4: Housing Policy, was a focus of detailed work to explore reasonable alternatives within the Interim SA Report. As part of this, a map was prepared presenting locations for higher density (see Figure 5.1 within the report).

2.3 Publication (Regulation 19) 2022

2.3.1 The Proposed Submission LPDMP was published under Regulation 19 of the Local Planning Regulations (2012) between January and February 2022.

2.3.2 The formal SA Report published alongside presented the information required under the Environmental Assessment of Plans and Programmes (SEA) Regulations 2004 (as discussed on page 1 of the report, as well as within Appendix I of the report).

2.3.3 As per the preceding Interim SA Report, the SA Report was structured in three parts:

- **Part 1** presented information on reasonable alternatives. Box 2.1 presents a detailed discussion.
- **Part 2** of the report presented an appraisal of the proposed submission plan, including a focus explaining changes made since the previous consultation stage and also discussing the influence of consultation responses received. The appraisal concluded as follows:

“The appraisal predicts wide-ranging positive effects, although under some SA topic headings positive effects are likely to be ‘minor’, and under three headings (Digital infrastructure, Land and Previously developed land) the conclusion is that effects will be broadly ‘neutral’. The appraisal predicts stand-out ‘significant’ positive effects in terms of: Biodiversity; Health and Landscape / townscape. These effects are predicted mindful that the LPDMP will be implemented alongside the adopted LPSS.

A prediction of broadly positive effects is unsurprising, given the nature of the plan document, namely one focused on policies to manage the growth that is already committed. The appraisal identifies few significant or otherwise notable tensions between the LPDMP policies and sustainability objectives.

However, a number of recommendations and suggestions are made. These should be taken into account as part of plan-finalisation, although it is recognised that recommendations are made ‘in a silo’ (i.e. recommendations under any given topic heading are made without any consideration given to knock on implications for the achievement of objectives under other topic headings), whilst plan-makers must ensure that all policies align with all plan objectives ‘in the round’, as far as possible.”

- **Part 3** of the report discussed next steps.

Box 2.1: Discussion of the information presented in Part 1 of the SA Report

As per the preceding Interim SA Report, Part 1 of the SA Report presented information on reasonable alternatives (RAs), specifically information on defining RAs; appraising RAs; and selecting preferred options.

With regards to the matter of **selecting policy areas** that should be a focus of work to explore RAs, this was covered within Section 4.2. Specifically, the report explained a decision to explore RAs in respect of ‘decarbonisation’ in place of RAs on ‘housing density’. Indeed, in respect of housing density, the report explained *“at the current time the view of officers (in discussion with AECOM) is that housing density need not be the focus of a stand-alone policy within the LPDMP.”*

With regards to the matter of **selecting RAs** for each of the identified policy areas (biodiversity net gain, decarbonisation and parking standards), this information was presented in Sections 5.2, 6.2 and 7.2. Efforts were made to take full account of consultation responses received, as well as the latest evidence more generally and the national policy context. In respect of decarbonisation (in particular) and biodiversity net gain, a challenge related to the fact that the national policy context was in a state of flux.

With regards to **appraisal findings**, in respect of each of the three sets of RAs, this information was presented in Sections 5.3, 6.3 and 7.3. In two instances (decarbonisation and parking standards) the appraisal was not able to reach conclusions on significant effects, which is an indication that, with hindsight, there was not a reasonable need to appraise alternatives in the first place. However, and regardless, each of the three appraisal tables was able to draw helpful distinctions between the competing alternatives, in terms of their performance against the established sustainability objectives (i.e. the SA framework; see Section 3 of the report).

With regards to **selecting preferred options**, this information was presented in Sections 5.4, 6.4 and 7.4. In instances where the appraisal served to identify tensions between the preferred option and one or more sustainability objectives (or otherwise identified the non-preferred option as preferable or potentially preferable), then this was addressed openly and transparently, including discussion of mitigation and monitoring.

2.3.4 Appraisal informed plan-making prior to publication (particularly the appraisal of reasonable alternatives) and served to inform representations received during the publication period. Representations received informed the subsequent final decision to submit the plan and then the Examination in Public.

2.3.5 A [Consultation Statement](#) was published in June 2022, comprehensively recording consultation responses received. There are few instances of consultation responses referencing the SA Report, but it is not necessarily the case that all consultees who benefited from the SA Report will have referenced it in their response. The Consultation Statement does record the following notable response received from the Residents for Guildford and Villages / Guildford Green Belt Group:

“Considerable work is required in order to demonstrate that the Reasonable Alternatives have been taken into account in the preparation of the policies which will be contained within the DMP and it would be helpful for the Council to examine other councils’ DMPs for more palatable alternatives.”

2.3.6 It is noted that the policy that generated comfortably the highest number of comments (see Figure 4 within the Consultation Statement), namely Policy ID11: Parking Standards, was a focus of detailed work to explore reasonable alternatives within the SA Report. In this light, the reasons for selecting the preferred option, as reported within Section 7.4 of the SA Report, are set out here:

“Option 2 is the preferred option. Specifically, the proposal is for the LPDMP and the Parking SPD to define the maximum and expected levels of parking permitted for various sizes of residential development in different areas of the borough. This approach involves a spatially-differentiated approach to the provision of vehicle parking for new residential developments with the focus of restraint increasing closer to Guildford town centre.

The proposal aims to respond to current car availability whilst also enabling lower car availability in new residential developments in urban settings and at the strategic sites, in line with the societal trends, potential future scenarios and net zero targets. In rural and village areas, expected standards match current levels of car availability that are reflective of differences in accessibility to key services and facilities by non-car modes.”

2.4 Main Modifications 2022

2.4.1 The LPDMP was submitted to the Government on 22nd June 2022 for examination by the Planning Inspectorate. The appointed Inspector then oversaw three days of hearing sessions in November 2022, before reaching an interim conclusion that the plan is 'sound' subject to modifications. A schedule of Main Modifications was then published for consultation over the period December 2022 to February 2023.

2.4.2 With regards to SA work, this is not an automatic requirement at the Main Modifications stage. In this instance, the Main Modifications were reviewed before a decision was reached that no formal SA work was required and, in turn, no SA documentation was published as part of the consultation.²

2.5 Inspectors’ report 2023

2.5.1 The Inspector’s Report was received on 27th February 2023, concluding that the LPDMP is 'sound' subject to Main Modifications. Specifically, the Main Modifications are broadly as per those previously published for consultation, with the Inspector explaining: *“None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes or SA/HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.”*

2.5.2 The Main Modifications can be summarised as follows:

- Clarify the scope and process for a review mechanism for the delivery of affordable housing;
- Introduce flexibility in the provision of First Homes;
- Clarify the principles and date for implementation of the biodiversity net gain policy;

² The Government’s planning practice guidance (PPG) advises that: *“It is up to the plan-making body to decide whether the sustainability appraisal report should be amended following proposed changes to an emerging plan”*. The PPG advises that: *“If the plan-making body assesses that necessary changes are significant, and were not previously subject to sustainability appraisal, then further sustainability appraisal may be required and the sustainability appraisal report should be updated and amended accordingly.”*

- Align the standards for carbon emissions from buildings with the building regulations;
- Amend the cycle network plan, clarify its status and introduce more flexibility for solutions in rural areas;
- Amend and clarify parking standards.

2.5.3 It can be seen that all three of the policy areas that were a focus of detailed work to explore reasonable alternatives within the SA Report were a focus of Main Modifications and, in turn, discussion within the Inspector's Report. Taking each of these three policy areas in turn:

- Biodiversity net gain (Policy P6/P7) – the Inspector considers viability implications of setting a more stringent requirement on developers (20%), before concluding that the effect would be *“marginal and as such would not undermine the deliverability of the LPSS.”* The Inspector then turns to the availability of off-site biodiversity units, finding that with numerous potential sites in the borough *“availability of off-site units should not be a problem following the lead-in time needed to establish accredited sites.”*

The Inspector concludes:

“In the light of the evidence, the minimum 20% BNG target in Policy P6/P7 is justified, being aspirational but deliverable in the case of Guildford Borough. Whilst 10% BNG strikes the right balance nationally between the ambition for development and the pressing need to reverse environmental decline, 20% BNG strikes the right balance between those objectives in the Borough.”

- Decarbonisation (Policy D14) – the Inspector explains that the published/submitted policy simply requires compliance with the latest Building Regulations, which came into effect subsequent to the time of the policy being finalised for publication. As such, the Main Modification simply involves addition of reference to the new Building Regulations and also deletion of outdated reasoned justification text.
- Parking standards (Policy ID11) – the Inspector explains the submitted policy as follows:

“LPSS Policy ID3 includes general principles in relation to car parking provision but no actual standards. Subsequently, several neighbourhood plans have set minimum vehicle parking standards in the areas concerned, and others may do so in future. The purpose of DMP Policy ID11 is to set maximum vehicle parking standards for the strategic sites allocated in the LPSS, such standards to take precedence over those in neighbourhood plans, whilst neighbourhood plan standards would apply to non-strategic sites. The standards [are] arrived at by analysing census data, and intended to manage car use.”

With regards to the Main Modifications, the key point to note is as follows:

“In addition to Policy ID11, the Council is preparing a Parking SPD to include detailed guidance and a range of standards for non-strategic sites. This was consulted upon in parallel with the DMP and can be updated as necessary from time to time. As submitted, Policy ID11 requires compliance with the standards in the SPD. This erroneously raises the status of the SPD to that of a statutory development plan and requires compliance with future versions of the document which would be drawn up without independent scrutiny. To ensure it is justified MM7 is therefore necessary to amend Policy ID10 to require development proposals outside strategic sites to have regard to the SPD, a less stringent test...”

2.5.4 With regards to the SA process, the Inspector concludes as follows:

“SA has been carried out throughout each stage of plan preparation. A detailed report was published alongside the plan and other submission documents under Regulation 19. It was unnecessary to update the appraisal to assess the MMs. The SA process has adequately assessed the DMP to establish, when judged against reasonable alternatives, that the plan will help to achieve relevant environmental, economic and social objectives.”

2.5.5 Finally, it is noted that the Inspector also concludes on the process of Habitats Regulations Assessment (HRA), which is a separate and notably different process to SA, involving consideration of the implications of the plan for sites designated as being of international importance for biodiversity. The Inspector finds:

“The HRA dated November 2021 notes that the DMP does not allocate sites or determine a quantum of growth (the role of the LPSS) but rather sets out policies to manage that growth. The HRA concludes that, in combination with other plans and projects, the DMP is not likely to have significant effects on the potentially affected sites, the Thames Basin Heaths Special Protection Area and Thursley, Ash, Pirbright & Chobham Special Area of Conservation.”

3 Measures decided concerning monitoring

3.1.1 Section 11 of the SA Report (2021) presented “measures envisaged concerning monitoring”, suggesting that, in light of the plan appraisal presented in the report, monitoring efforts might focus on:

- Affordable housing;
- Biodiversity net gain;
- Built environment greenhouse gas emissions; and
- Residential car parking.

3.1.2 The Inspector’s Report does not discuss monitoring, and none of the Main Modifications deal with monitoring. As such, the final monitoring framework is *as per* that presented within the LPDMP as previously published and submitted. Within the LPDMP each of the policies is assigned one or more monitoring indicators, and there is also the following introductory explanation:

“We need to assess whether this Local Plan is meeting its aims and objectives and have appropriate mechanisms in place so that we can recognise if it is not and actions can be taken accordingly. To help achieve this, each policy in this document is accompanied by monitoring indicators. Where policies are failing to deliver against the strategic objectives of the Local Plan, necessary actions will be identified in our Authority Monitoring Report.”

3.1.3 This is broadly considered to be a suitably clear and comprehensive approach to monitoring. Taking each of the four aforementioned policy areas in turn:

- Affordable housing – the key matter for the LPDMP is in respect of First Homes (a type of affordable housing), mindful that First Homes must cost no more than £250,000, which in the Guildford context risks limiting First Homes to flats. The monitoring indicator is as follows: *“Percentage of qualifying schemes providing 25% First Homes as a proportion of their affordable housing contribution.”*
- Biodiversity net gain – the monitoring indicator is as follows: *“Gains in biodiversity provided by development on sites of 25 homes or greater.”*
- Built environment greenhouse gas emissions – the monitoring indicator is as follows: *“Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy D14.”* Ongoing consideration should be given to means of strengthening this monitoring indicator.
- Residential car parking – the monitoring indicator is as follows: *“Percentage of appeals where the Inspector found insufficient grounds to refuse the application in relation to Policy ID11.”* Again, ongoing consideration should be given to means of strengthening this monitoring indicator.

4 Conclusions on the SA process

4.1.1 This SA Statement demonstrates that a legally robust SA process was undertaken alongside plan-making, with appraisal findings and consultation responses feeding into decision-making at key junctures.

4.1.2 Most importantly, in terms of compliance with both the SEA Regulations³ and Local Planning Regulations,⁴ the SA Report was published alongside the proposed submission version of the LPDMP in 2021, presenting an appraisal of “the plan and reasonable alternatives” and “an outline of the reasons for selecting the alternatives dealt with”. The report served to inform representations on the plan, and then served to inform plan finalisation over the course of the Examination in Public.

4.1.3 This SA Statement is the final step in the SA process. Its aim is to explain the ‘story’ of the plan-making / SA process, and also present measures decided concerning monitoring. Table 4.1 serves to demonstrate that this report presents the required information.

³ Environmental Assessment of Plans and Programmes Regulations 2004

⁴ Town and Country Planning (Local Planning) (England) Regulations 2012

Table 4.1: Regulatory checklist

The SA Statement must...	Information presented in this Statement
Summarise how environmental (and wider sustainability) considerations have been integrated into the plan	<p>This Statement has sought to provide examples of key sustainability considerations that have been highlighted through appraisal and consultation and, in turn, integrated into the plan.</p> <p>First and foremost, the relative merits of reasonable alternatives were appraised in terms of a range of sustainability issues/objectives, with a view to informing decision-making.</p>
Summarise how the SA Report and consultation responses received, as part of the Draft Plan / SA Report consultation, have been taken into account when finalising the plan.	<p>This statement seeks to explain a stepwise process over time. It was naturally the case, at each step in the process, that account was taken of earlier consultation responses, alongside wider evidence.</p> <p>In particular, the SA Report (2021) included clear reference to consultation responses received as part of the preceding consultation.</p> <p>Further information on consultation responses received is presented in two Consultation Statements, both of which are discussed above within this report (see Sections 2.2 and 2.3).</p>
Summarise the reasons for choosing the plan as adopted, in the light of reasonable alternatives.	<p>Reasonable alternatives were defined and appraised at two points in the plan-making / SA process in order to inform decision-making ahead of consultation, with officers providing a response to the appraisal, equating to the Council's reasons for supporting the preferred option.</p>
Summarise the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan	See Section 3