

SA/SEA ADOPTION STATEMENT: DARTFORD LOCAL PLAN

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1. Introduction and Background

1.1 SA/SEA Adoption Statements are a key tool for improving transparency in the decision making process. The document allows stakeholders to see how environmental and sustainability factors have been considered in the Dartford Local Plan. It is also one of the documents that shows how overall consultee views have been taken into account during the preparation of the plan.

1.2 This Sustainability Appraisal (SA) Statement forms the final output from the SA of the Dartford Local Plan.

1.3 A Strategic Environmental Assessment (SEA) Adoption Statement is legally required after adoption of a plan or programme. As Sustainability Appraisals (SAs) incorporating SEA are undertaken for development plans in England, the Adoption Statement will usually be for the combined SA/SEA. Therefore, the Dartford Local Plan has been subject to an integrated SA and Strategic Environmental Assessment (SEA) (hereafter referred to as SA). This is in line with the requirements of [Statutory Instrument 2004 No. 1633: The Environmental Assessment of Plans and Programmes Regulations 2004](#).

1.4 Under the terms of Section 16(4) of the regulations quoted above, when a plan is adopted, a statement must be produced summarising:

- How environmental / sustainability considerations have been integrated into the plan (See Chapter 2);
- How the SA report has been taken into account (See Chapter 3);
- How opinions expressed in response to consultation on the SA report have been taken into account (See Chapter 4);
- How the Local Authority made the relevant documents available (See Chapter 5);
- The reasons for choosing the plan as adopted, in the light of the other reasonable alternative options dealt with (See Chapter 6); and
- The measures that are to be taken to monitor the significant sustainability effects of the implementation of the plan or programme (See Chapter 7).

2. Development of the Dartford Local Plan

2.1 The Dartford Local Plan sets out an overall strategy to guide development across the borough in the period up to 2037. It sets out how much new development (land for housing and economic development) is needed and where this development should take place as well as provides information about the infrastructure needed to support new development. The plan has been developed through an iterative process with comments made through public consultation being taken into consideration at each stage.

2.2. The development of the Local Plan has been ongoing since early evidence gathering informed the development of the Strategic Issues Consultation in 2018.

2.3 The Council considered the representations made then to help inform the next stage of plan-making/ public engagement – Local Plan ‘Preferred Options’ consultation in January 2020. Comments received from this were again taken into account to inform the preparation of the Pre-Submission (Publication) Document in September 2021.

2.4 The Council submitted the Pre-Submission (Publication) Dartford Local Plan on 13th December 2021. Following a series of Examination in Public hearing sessions in 2022 and culminating in May 2023, a consultation on Proposed Main Modifications concluded in September 2023. The Inspector’s Report, finding the Plan sound/ legally compliant subject to certain Main Modifications was issued February 2024, enabling the Plan to be proposed for adoption by the Council 22nd April 2024.

NB: An SA/SEA Adoption Statement is distinct from the Adoption Statement required for the Local Plan itself, which will usually be one page long and outlines the date the plan was adopted, where the adopted plan can be viewed for inspection and identifies the documents that have been made available in accordance with the Regulation 26 of The Town and Country Planning (Local Planning) (England) Regulations 2012.

3. How Environmental and Sustainability Considerations Have Been Integrated into the Local Plan

3.1 The Local Plan sets out that ‘Neighbourhoods across the Borough will be attractive, healthy, secure, low-carbon and environmentally resilient, benefiting from excellent built and natural environments and improved living standards’; and that ‘Valued and sensitive local landscapes and townscapes will be suitably preserved for future enjoyment’.

3.2 This is built into the vision of the Local Plan and also into the three thematic groups of strategic objectives set out. Examples of the strategic objectives under the ‘green and attractive environment’ include:

- G2: Securing quality and sustainable built design, public streets, and good open and amenity space provision in new development, and recognising and respecting heritage and green assets so that Dartford’s historic environments and new neighbourhoods are enjoyed by current and future generations.
- G3: Ensuring the Borough is able to adapt to the effects of climate change and contributes towards reducing Dartford’s carbon footprint through an increase in the proportion of water efficient buildings, the uptake of domestic and small scale renewable energy, and promoting environmental resilience, new greenspace and tree planting.
- G4: Promoting sustainable local environments and habitats, achieving biodiversity net gain and active and healthy living, at new developments and through greenspace and landscape

protection and provision, enhancing the green grid of footpaths, public rights of way, cycle routes, wildlife corridors, rivers and countryside links.

3.3 The policies and proposals of the Plan have been formulated to advance the strategic objectives, and to secure sustainable development through the implementation of the Plan.

3.4 In addition, an independent check of the Local Plan has occurred through the SA, with SA being prepared at every stage of the plan (please see Table 1 below for details of the reports that have been produced). This includes testing of reasonable alternatives.

Table 1 Local Plan SA Documents

Date	Report
October 2018	SA Scoping Report
January 2019	SA Scoping Report (Updated)
2019	Sustainability Appraisal of the Preferred Options Consultation Document (2019)
July 2021	Sustainability Appraisal July 2021
July 2021	Sustainability Appraisal Non Technical Summary July 2021
July 2023	Sustainability Appraisal Addendum

4. How the SA Report Has Been Taken into Account

4.1 The SEA regulations require that during plan preparation an assessment is carried out on a draft version of the Plan and a statutory report (called an SA report in England) is produced and consulted on. In summary, to comply with the SEA regulations in Dartford, an SA Report was produced alongside the publication of the Submitted Local Plan, see Sustainability Appraisal July 2021 and a supporting SA Addendum alongside the July 2023 Main Modifications (see links in the above Table 1). Section 5 of both the 2021 and 2023 reports contains the full assessment of the Local Plan and its main modifications. More detail on these stages is outlined below.

4.2 From the outset, the SA process of the Dartford Local Plan has consistently used a SA Framework which was developed during the SA scoping process (set out in the SA Scoping Report 2019) as the basis for assessing the Dartford Local Plan. Relevant plans/programmes had been reviewed; baseline information regarding the character of the area and its likely evolution collated and analysed; and sustainability problems, issues and opportunities had been identified during the SA Scoping to compile a Framework of Objectives and decision-aiding questions that seek to resolve the sustainability issues identified, and relevant to the plan and the Dartford area.

4.3 The SA of the Preferred Options Consultation Document (2019) included individual appraisals for each preferred policy approach and reasonable alternative options that were considered at the Preferred Options stage, which were summarised in the 2021 SA accompanying the Pre-Submission Local Plan as well as the reasons for taking forward the preferred. The 2021

Sustainability Appraisal assesses each of the policies set out in the Pre-submission Local Plan ([Chapter 5](#)). It also includes an overview of all of the policies included in the Pre-Submission Local Plan to show the cumulative impact of the policies ([Chapter 6](#)).

4.4 The SA reports were taken into account alongside the submitted Local Plan and Main Modifications for the purposes of the assessment of the soundness of the Local Plan through the independent Examination in Public process. The assessment of the Pre-Submission Local Plan found that the Local Plan would have no significant negative effects on sustainability, although there were some minor negative effects. Effects were predominantly significantly positive.

4.5 It should be noted that at the Submission stage in the plan making process the Draft Local Plan had already taken account of recommendations or issues identified through the appraisal at earlier stages in the SA process when the issues and options stages were assessed and during the assessment of site options.

4.6 Therefore, the Local Plan performs well against SA criteria because sustainability issues had already been integrated into the Plan at earlier stages. The SA process successfully ensured that the negative issues were designed out of the Local Plan before the Pre-Submission Local Plan was published. Despite the fact that the SA did not find any significant negative effects, the SA report did make some recommendations regarding how the plan could be improved and these recommendations have influenced the plan in several ways.

4.7 The 2023 SA Addendum assessed and helped inform the Main Modifications to Local Plan policies and sites included in the Plan. It found that the vast majority of objectives and policies assessments remained the same as in 2021. Similarly, the Mitigation and Conclusions of the 2023 Addendum were not considered to have altered in a very significant way since the July 2021 Main Sustainability Appraisal Report. Although relatively minor, the likely cumulative effects of the Main Modifications were considered likely to be in a positive direction and the SA helped inform and influence the policy direction in this regard. The overall changes, though mostly positive, were relatively minor due to the comparatively minor or more presentational nature of the Local Plan changes since 2021 (i.e. in Main Modifications neither planned quantum of housing or economic development has been materially changed since 2021).

4.8 Therefore, the final policy approach and strategic development locations have been subject to Sustainability Appraisal and considered along with reasonable alternative options throughout their development. Each policy and proposal has been assessed against the social, environmental and economic objectives in the SA Framework in order to establish the likely positive and negative effects.

4.9 The plan reflects that SA findings were taken into account when determining a preferred option to take forward. There were often an equal or similar number of positive or negative effects identified for each option, such that it was not possible to 'rank' them based on sustainability performance in order to select a preferred option. Factors such as public opinion, deliverability and conformity with national policy were also taken into account when considering reasonable options and selecting preferred options for the plan.

4.10 Where significant effects were found in the SA, potential mitigation measures were identified wherever possible. These were incorporated into the Plan where they were not already addressed by more detailed policies elsewhere in the Plan. The results of the appraisals were used to inform the decision-making process and establish appropriate options to take forward in the Local Plan.

5. How the results of consultation have been taken into account

5.1 Public and stakeholder participation is an important part of the SA (and wider plan-making processes). It helps to ensure that the SA Report is robust and has due regard for all appropriate information that will support the plan in making a contribution to sustainable development.

5.2 The SA Scoping Report was published for consultation from 31st October 2018 until 5th December 2018. An updated Scoping Report was published in January 2019, which responded to the comments received in this consultation.

5.3 A Sustainability Appraisal was included in consultation on the Preferred Options Local Plan in 2020.

5.4 In identifying the 'Main Plan Options' for the Local Plan Preferred Options consultation, the Council focused on the most critical planning policy matters, topics and potential development locations which will define the Borough in future, its environment and main areas of regeneration. The policy approach options were identified by considering how the preferred Main Plan Options could come forward. (In developing these options, the Council considered responses received in response to the Strategic Issues Consultation, which took place from June to July 2018. This consisted of a series of open-ended questions so that residents and stakeholders could voice their opinions on the direction that the new Local Plan should take).

5.5 A number of consultees raised the issue of the need for further evidence to support the Plan and a number of evidence based studies were subsequently produced in early 2021, including

- The Viability Study,
- Retail and Commercial Leisure Study,
- Strategic Flood Risk Assessment, and
- The Strategic Transport Modelling Study.

These were largely consistent with the approaches set out in the Preferred Options but, where necessary, adjustments to the policies were made in accordance with the outputs from the evidence.

5.6 A number of developers raised the issue of whether the proposed pattern of development is appropriate and whether there was a need to release Green Belt land. The evidence demonstrated that the Council can meet development needs in the urban area which is in accordance with national planning policy. This was discussed under 'Approach to Green Belt' in Section 4 and relevant consultation comments and responses to these were in Appendix A of the 2021 Report.

5.7 All Preferred Options comments and representations were taken into account and used to further refine the Local Plan and Sustainability Appraisal. There was, overall, clear and significant support for the preferred options and policy approaches set out in the Preferred Options Local Plan. These were largely been taken forward into the Pre-Submission Local Plan with some modifications to take account of comments from consultees, and further evidence gathering.

5.8 The first Pre-Submission (Publication) Local Plan (prepared taking into account comments received in response to the earlier Preferred Options Consultation Document) and was subject to SA. The Local Plan document and accompanying SA Report were published for consultation between February and April 2021.

5.9 Then after that, the Pre-Submission Local Plan was updated to reflect a material change in context since it was originally published, namely the notification of the Swanscombe Peninsula Site of Special Scientific Interest (SSSI) by Natural England. This resulted in amendments being made to a number of the Local Plan policies. The SA Report was also therefore updated to reflect the new version of the Pre-Submission (Publication) Local Plan.

5.10 Subsequently, in July 2021, an SA was produced supporting the Pre-Submission Local Plan (September 2021). The July 2021 SA outlined the previous consultations up to that point, and how they were taken into account. Chapter 4 summarised the findings of the previous SA of the Preferred Options Consultation Document. Appendix A of the 2021 SA Report listed the comments that were received during the consultation on the SA Scoping Report and described how each one was addressed. In light of the comments received, minor changes were made to the baseline information, the key sustainability issues and SA framework.

5.11 Representations by the public received on the 2021 Pre-Submission Dartford Local Plans informed discussion in the Examination Hearings, which in turn has informed the subsequent Main Modifications and their consideration within the supporting SA Report Addendum.

6. The Reasons for Choosing the Local Plan as Adopted in the Light of the Other Reasonable Alternatives Considered

6.1 Text Article 5 (1) of the SEA Directive and SEA Regulation 12(2) require that *“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”*. Information to be provided includes *“an outline of the reasons for selecting the alternatives dealt with”* (SEA Directive Annex I (h) and SEA Regulations Schedule 2 (8)).

6.2 The European Commission guidance on the SEA Directive discusses possible interpretations of handling ‘reasonable alternatives’ as required by Article 5(1). It states that *“The alternatives chosen should be realistic. Part of the reason for studying alternatives is to find ways of reducing or avoiding the significant adverse effects of the proposed plan or programme”*.

6.3 The findings of the appraisal of the Preferred Options and reasonable alternatives were reported throughout the SA process and subject to public consultations. In particular, Chapter 4 of the July 2021 SA informed the Pre-Submission Local Plan by assessing reasonable alternatives and outlined the reasons for choosing the Plan. Further alternatives were assessed alongside the Main Modifications, particularly in relation to Gypsies and Travellers and more refined assessments of allocation sites options.

6.4 Overall, the reasons for choosing and delivering the Dartford Local Plan vision, strategy, objectives and policies in the Dartford Borough area are that they deliver the most benefits and the least negative effects for sustainable development.

6.5 The SA is robust and proportionate, having been through Examination Hearings conducted by the Planning Inspectorate. The SA has assessed the likely environmental, social and economic effects of

the Dartford Local Plan and incorporated the requirements for SEA whilst influencing the policies and allocations.

7. Measures that are to be taken to monitor the significant sustainability/ environmental effects of the implementation of the Local Plan

7.1 The SEA Regulations (17 (1)) set out that *“The responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying any unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action”*. The Regulations are clear that it is not necessary to monitor everything. Instead, monitoring should focus on significant effects.

7.2 Government guidance¹ states that ‘Monitoring the significant effects of the implementation of a neighbourhood plan that was subject to a strategic environmental assessment should be undertaken (see regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004). This will enable unforeseen adverse effects to be identified at an early stage and to enable appropriate remedial actions.’

7.3 The Pre-Submission Local Plan and Section 6 of the 2021 SA that accompanied it sets out how the plan will be implemented and monitored. The principles set out remain applicable. Key documents were identified, namely:

- Authority Monitoring Report (AMR)
- Five Year Deliverable Housing Land Supply Statement
- Brownfield Land Register
- Community Infrastructure Levy (CIL) charging schedule
- Supplementary Planning Documents (SPDs)/ Design Codes
- Housing Action Plan if required under Housing Delivery Test.

7.4 The implementation of most policies will require collaborative working across a range of bodies, including: infrastructure providers, developers, service providers, government agencies, parish and town councils.

¹ MHCLG (2015) Planning Practice Guidance: Strategic Environmental Assessment and Sustainability Appraisal, Paragraph: 025 Reference ID: 11-025-20140306