

STRUCTURE PLAN PANEL

Item 3(i)

9 January 2003

Members of the Panel: M Bayes, A Dodd, D Drake, M Saunders (Chairman), R Sanderson, I Simpson, W Storey, B A York

BEDFORDSHIRE AND LUTON STRUCTURE PLAN 2016– DEPOSIT VERSION

Author: Jon Tiley (Tel. 01992 556297)

1. Purpose of report

- 1.1 To consider draft officer comments on the Bedfordshire and Luton Structure Plan and to advise on any additions or amendments.

2. Background

- 2.1 The Bedfordshire and Luton Structure Plan 2016, was placed on deposit in November 2002, and the County Council was consulted as an adjoining strategic authority. As is the norm in such circumstances, the Plan has been considered by a variety of officers within the Authority, with a view to establishing the impact of the Plan on Hertfordshire.
- 2.2 Whilst it is normal for such consultations to be dealt with under delegated powers, in this case, given the issue of Luton Airport and its importance for Hertfordshire, it was considered appropriate to bring the draft response to the Structure Plan Panel for consideration. In particular, local members have been consulted on the draft response, and any particular issues they have raised will be reported orally.
- 2.3 The deposit period for the Plan ended on 16 December. In order to register the County Council's response, the comments attached as Appendix 1 to this report have been submitted as draft offer comments, to be confirmed following this Panel's consideration of them.
- 2.4 The major issue of concern is the policy in the plan regarding Luton airport. It should be noted that this policy relates primarily to the management of current airport capacity, rather than attempting to deal in any way with the scenarios outlined in the SERAS consultation document. In those terms, only relatively minor points of objection are made.
- 2.5 The other principle concern relates to the transportation proposals included in the Plan and particularly those relating to the proposed new by passes to the north and east of Luton and Dunstable. Specifically there is concern expressed about the impact of

traffic on the A.505 and other Hertfordshire roads, if road capacity is increased around Luton and Dunstable.

3. Conclusions

- 3.1 The comments on the Bedfordshire County Structure Plan are set out in Appendix 1 of this report. The Panel is requested to consider whether there should be any additions or amendments to those comments.

Appendix 1

Draft Officer Comments on the Bedfordshire and Luton Structure Plan 2016 - deposit version

Policy 32 Strategic Transportation Schemes

The County Council supports the inclusion of regional / sub-regional schemes such as Thameslink 2000 which will improve public transport accessibility in both Bedfordshire and Hertfordshire.

The County Council notes the inclusion of M1 and A1 Route upgrading and junction improvements and queries whether these schemes go beyond proposals already identified in Highways Agency Route Management Strategies. There is a need to consider the implications of improvements to sections of the M1 and A1 in Bedfordshire on the case for widening the M1 between Junctions 6A and 10 in Hertfordshire and the A1(M) between Junctions 6 and 8 in Hertfordshire.

There is concern that construction of the Luton, Dunstable and Houghton Regis Northern By-pass, and the completion of the East Luton corridor improvements and the Luton East Circular Northern By-pass will increase traffic on the A505 between Luton and Hitchin. An increase in traffic on this road could have an unacceptable impact on traffic conditions in Hitchin. It is essential that the County Council is consulted in the development of these proposals.

The County Council would wish to be assured that the provision of a new Parkway station at North Luton will not have an unacceptable impact on the capacity of the Midland mainline.

Whilst recognising the benefits that Park and Ride can provide to town centres, there is concern that the provision of sites at M1 Junction 10a and at Butterfield A505 could have an unacceptable impact on the local environment and draw additional traffic onto the local roads in the area. Once again, the County Council would wish to be fully consulted on any proposals.

Policy 33 London Luton Airport

Policy 33 regarding London Luton Airport is a welcome update to Policy 48 in the adopted Bedfordshire Structure Plan 2011. It relates to the permitted operations at the Airport and it is recognised that some of the criteria may have to be reconsidered in the light of the forthcoming Aviation White Paper.

The policy criteria provide sufficient latitude to the Airport to realise the full extent of their existing permitted operations while setting environmental controls based on the 1999 situation as envisaged by the most recent planning permission. In the absence of any agreed environmental thresholds for the Airport or any national policy guidance for future development this must be the best way forward at this stage.

Specific points on Policy 33 are:

- (ii) Make clear that the 100,000 aircraft transport movements refer to passenger and cargo flights. The limit of 12,000 night flights is a little higher than expected, in that it is the

same figure as for the larger Stansted Airport and considerably more than the 1999 levels. However, as it is linked to a night noise contour limit it can be accepted as part of the overall environmental control.

- (iii) The new noise contour limits replacing the 1984 limits are welcomed and while the night limit is marginally greater than the 1999 figure the difference is not sufficient to be a difficulty.

The transport criteria must be seen as leading to challenging modal split targets. This is done through London Luton Airport's Surface Access Strategy but some reference to what targets are expected would be valuable, perhaps in the Explanatory Memorandum.

Policy 8 Chiltern Area of Outstanding Natural Beauty

The County Council supports this policy. In view of the cross-boundary implications, it is suggested that 'other partners' includes the Countryside Management Service working in Hertfordshire.

Policy 44 Standards of Provision

The relevant planning officers may be interested in contacting David Hope (Hertfordshire County Council, 01992 555237) who is embarking on a recreational facility mapping exercise for Hertfordshire. This would enable a sub-regional perspective to be taken on this issue.

Representation Regarding Policy Omission

It is suggested that Policy 13 Design Quality should include more specific reference to visual amenity. There may be occasions where a proposed development could have cross-boundary visual implications. It is noted that Policy 13 Design Quality focuses primarily upon the historic environment and biodiversity. A policy on visual amenity and impact would also improve the fit of the Plan with a variety of PPGs.

STRUCTURE PLAN PANEL

THURSDAY, 9 JANUARY 2003

ODPM: DRAFT GUIDANCE ON STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) DIRECTIVE (2001/42/EC)

Author: Lucy Furlong, Project Officer, Sustainability.
Tel. 01992 556287

Members of the Panel: M Bayes, A Dodd, D Drake, M Saunders (Chairman), R Sanderson, I Simpson, W Storey, B A York

1. Purpose of Report

To consider a response to consultation on the draft guidance on the SEA Directive issued by the Office of the Deputy Prime Minister (ODPM).

2. Background

- 2.1 The ODPM has produced draft guidance for the application of the SEA Directive to all plans which “are in a broad sense concerned with land use or spatial development”. The guidance is designed to be relevant to the current system of development plans and also to the proposed Local Development Frameworks and Regional Spatial Strategies. The guidance is currently out for consultation and responses are requested by 24 January 2003. A draft response to this guidance is appended to this report for consideration by the Panel.
- 2.2 Strategic Environmental Assessment (SEA) is a tool for ensuring that environmental considerations are taken into account in decision-making by systematically considering potential environmental effects at every stage of the plan-making process. The Panel will be aware that our plans are currently subject to Sustainability Appraisal (SA) as a matter of good practice. Members have already seen stage one of the appraisal for the Structure Plan Alterations. The process for SEA is similar to Sustainability Appraisal (SA) with the difference being that Sustainability Appraisal takes on board economic and social as well as environmental considerations.
- 2.3 The SEA Directive emphasises some key new areas of focus, which such assessments will need to meet. These are:
 - Identifying strategic options that make the plan more sustainable;
 - Collecting baseline environmental information, particularly for areas likely to be significantly affected by the plan;
 - More rigorous prediction of environmental effects;
 - Greater consultation of the public and environmental authorities;
 - Mitigating and monitoring significant environmental effects of the plan.

- 2.4 The aims of the SEA Directive “on the assessment of the effects of certain plans and programmes on the environment” are to “provide for a high level of protection of the environment and contribute to the integration of environmental considerations in to the preparation and adoption of plans...with a view to promoting sustainable development”.
- 2.5 The guidance is intended for use by authorities responsible for the following plans:
- District Local Plans
 - Unitary Development Plans
 - Minerals Local Plans
 - Waste Local Plans
 - Structure Plans
 - Regional Planning Guidance
 - The Spatial Development Strategy for London
 - Regional Spatial Strategies
- 2.6 The Directive will apply to plans and programmes for which formal preparation begins after 21 July 2004, and also to plans and programmes which are already being prepared by that date but haven’t yet reached adoption or legislative procedure by 21 July 2006. The guidance stresses that it can only offer help and cannot be regarded as an interpretation of the law.
- 2.7 This guidance was produced by the consultants Levett-Therivel who are also carrying out the Sustainability Appraisal (SA) of RPG14, a process being managed by Hertfordshire County Council on behalf of the East of England Local Government Conference. This SA is one of the pilot studies being carried out by the Government to test the application of the guidance.
- 2.8 The Environment Department recently commissioned CAG consultants to produce guidance on the Sustainability Appraisal of Plans and Strategies, which was written with due regard to the forthcoming SEA requirements. The ODPM guidance on SEA, and our guidance on SA will enable a joint SEA/SA process which can be integrated in the plan-making process of the authority and meet the requirements of the Directive.

3. Conclusions

The SEA Directive will come into effect in 2004 and our plans are going to be subject to the Directive and need to be legally compliant. The decision of the ODPM to issue early guidance on how to carry out a SEA to meet the requirements of the Directive, is therefore welcomed.

However, there is a key element of the guidance which is of concern. This is the requirement to establish good quality and reliable baseline environmental information to inform the plan. This is not currently in place, and will have significant resource implications for all Authorities required to undertake SEA. The draft response at

Appendix 1, includes a request to the ODPM to provide further guidance on how to set this in place in time for the Directive becoming part of UK law.

Detailed comments in response to the consultation are set out in Appendix 1.

The Panel is requested to consider the draft response and advise on any possible additions or amendments.

Hertfordshire County Council's response to ODPM Draft guidance on the Strategic Environmental Assessment Directive.

General Comments

Hertfordshire County Council welcomes the production of guidance by the ODPM and supports the use of Sustainability Appraisal and Strategic Environmental Assessment as a tool to improve the sustainability of plans and negate potential negative impacts. Our own Sustainability Appraisal guidance was produced with the intention to integrate the two processes, and any further guidance on how best to do this would be welcomed.

Our key concern is the scale of the work involved in setting up the systems and partnerships to effectively manage the baseline information collation and maintenance. These systems are not currently in place and it will take time to establish a consistent and reliable method of accessing and recording information. It would be helpful if the SEA guidance could expand the section dealing with baseline collection of information and set out some practical guidelines for this work on a regional and local level.

There is some concern that the SEA guidance is a daunting document and unlikely to encourage officers to carry out SEA on plans and strategies themselves. However, although complex, the guidance is very comprehensive and provides a detailed stepping-stone guide to carrying out SEA with clear and thorough notes on each stage which needs to be worked through.

The guidance states that the Directive applies to plans and programmes. It is hoped that the guidance will be extended to cover 'programmes' to aid understanding what 'programmes' is likely to cover, and how SEA may differ for programmes rather than plans.

The tables giving a suggested structure for the reporting of the SEA are very helpful, particularly Fig. 18 (page 46 of guidance) which provides a breakdown of the sections required by the environmental report.

Key questions from consultation.

- i) Are the links between the SEA objectives and baseline data collection clear?

The baseline data collection will be a large body of work, which will need to be carried out in partnership with a number of organisations locally and regionally. This will have impacts on current data collection methods and will require significant resource if it is to supply quality data, which can be used to support the SEA. In the guidance, the links between the SEA objectives and baseline data collection are covered in detail. The inclusion of a series of questions to apply for each objective is a useful guide to help gain a picture of the type and levels of data to be collected.

- ii) Are the requirements for identification of options clear and feasible?

The process of identifying options within the guidance accords with current practice Hertfordshire County Council. The particular emphasis on focussing on sustainability 'visions' within the consideration of options, and the focus on systematic and transparent consideration of options will be a positive step both for public response to plans and strategies and to ensuring sustainability is central to the plan. The hierarchy of options given in the guidance is a particularly useful tool to assist this.

- iii) Should examples of options be provided?

The pilot studies, when available, should provide good illustrations of this element of the SEA approach and will be useful as worked examples available alongside the guidance, but it does not seem necessary to include examples of options within the guidance document itself.

- iv) Are the requirements for assessment of options, particularly of their cumulative impacts, clear and feasible?

We welcome the emphasis on mitigation and enhancement measures, which is reinforced in this section. The questions provided for the SEA/SA team to consider when filling out the matrix, are a useful way of keeping this emphasis at the forefront of the process. It is difficult to consider the cumulative impacts and comparisons of options based on these impacts, without a worked through example. The pilot studies will be helpful in bringing the guidance to life. The use of symbols or traffic lights to compare impacts is welcomed.

- v) How much quantitative measurement of effects is feasible?

Appropriate quantitative measurement of effects should be encouraged to support the usefulness and credibility of the SEA, but it is not necessarily the role of strategic level appraisal to go into this level of detail around individual sites. We would like to see a clearer distinction between the roles of SEA and EIA. It should perhaps be emphasised where necessary, that existing indicators and proxy measures (e.g. CO2 reduction to measure climate change) can be useful for strategic level plans. The feasibility of quantitative measurement depends both on the type of plan, and the availability of information and resources to carry out the measurement at the time.

- vi) Are the links to project-level Environmental Impact Assessment clear?

See above (v). The guidance is clear in its description of how SEA of a plan should specify relevant mitigation measures that need to be taken on board in plans and projects further down the chain. For example, by requiring Environmental Impact Assessment, or the development of Supplementary Planning Guidance.

- vii) Is the proposed monitoring structure feasible?

Not until the baseline information exists in a readily accessible format of sufficient quality and depth. Figure 17 (page 44) gives a helpful format for a monitoring programme.

- viii) Should the term “SEA” be used to denote an environmental assessment required by the Directive, or is this confusing?

The term seems to be already widely understood to relate to the Directive, so it would probably be unhelpful to change this now.

- ix) How valuable is the matrix-based approach to assessing the effects of the plan options?

The matrix-based approach is a good basis for transparent assessment of the options and ties in neatly with the methodology of the Environment Department’s Sustainability Appraisal Guidance. This should enable SEA and SA to be carried out on plans and strategies within the Environment Department as a joint process and help to avoid duplication. Some guidance on how best to draw out and present the main findings from the matrix might be useful.

- x) Do you agree that SEA/SA will take approximately 50-100 person-days to carry out?

It is impossible to say how long the SEA will take because of the lack of clarity about the baseline element. If the baseline information collection forms part of this estimation, we consider it to be much too low. Systems are not in place for the collection of quality baseline data in a consistent way, and the time/resources needed to put this in place are much greater than the above estimation

Baseline data collection aside, based on a previous sustainability appraisal of the Structure Plan carried out internally, and consultants’ quotes for a follow up appraisal, this seems a realistic estimate for this type of plan.

- xi) Do you foresee any particular problems for authorities in developing the capacity to undertake this work?

Yes, regarding the baseline information collection.

- xii) How should compliance with the Directive and the quality of environmental reports be ensured?

Once the SEA Directive becomes part of UK law, it will be subject to the same rigour that currently exists regarding statutory plans. The Quality Assurance checklist is welcomed as a safety check for the SEA/SA team. It may be that an external audit system needs to be put in place to check a number of reports nationally. Individually authorities may choose to have reviews independently checked.