

## Appendix 7- Draft Sustainability Appraisal Adoption Statement



# **Warwick District Council Net Zero Carbon DPD**

**Sustainability Appraisal (SA)**  
incorporating **Strategic Environmental  
Assessment (SEA)**

## **SA ADOPTION STATEMENT**

**May 2024**



# Warwick District Council Net Zero Carbon Development Plan Document

## Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA)

### SA ADOPTION STATEMENT May 2024

Date:	May 2024 final	
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## This SA Adoption Statement

- 1 Sustainability Appraisal (SA) is a systematic process that must be carried out during the preparation of a Local Plan relating to development – as set out in Section 19 of the Planning and Compulsory Purchase Act 2004 and in paragraph 32 of the National Planning Policy Framework (NPPF<sup>1</sup>, updated 2019, revised 2021 & updated 2023).
- 2 SA incorporates the requirements for Strategic Environmental Assessment (SEA) that seeks to provide a high level of protection of the environment and to contribute to promoting sustainable development by integrating environmental considerations into the process of preparing certain plans and programmes. The EU Directive is implemented in the UK through the SEA Regulations (2004)<sup>2</sup>.
- 3 The Authority is also required to undertake a Habitats Regulations Assessment (HRA) of the DPD. The HRA process has its own legislative drivers and requirements. Whilst the different processes can inform each other, it is important that the HRA remains distinguishable from the wider SA process. The HRA process has been undertaken in parallel to the SA and its findings have informed the SA and have been reported together.
- 4 The SA process comprises a number of stages that are designed to comply with the requirements of the SEA Regulations and as guided through Government Planning Practice<sup>3</sup>. This SA Adoption Statement satisfies the SA/SEA requirements for post adoption (Stage E) and demonstrates compliance with the requirements of the SEA Regulations as follows:
  - (a) *how environmental considerations have been integrated into the plan or programme;*
  - (b) *how the environmental report has been taken into account;*
  - (c) *how opinions expressed in response to— (i) the invitation referred to in regulation 13(2)(d); (ii) action taken by the responsible authority in accordance with regulation 13(4), have been taken into account;*
  - (d) *how the results of any consultations entered into under regulation 14(4) have been taken into account;*
  - (e) *the reasons for choosing the plan or programme as adopted, in the 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 or programme.*
- 5 SA should demonstrate how the plan has addressed relevant economic, social, and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued.

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<sup>1</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>2</sup> <https://www.legislation.gov.uk/uksi/2004/1633/contents/made>

<sup>3</sup> <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

## Development of the Warwick Net Zero Carbon Development Plan Document

- 6 The overarching development plan document for the Warwick District area is the Local Plan that was adopted in September 2017<sup>4</sup>. Warwick District Council declared a Climate Emergency<sup>5</sup> on 27 June 2019. This recognises that the current global target to cut carbon emissions by 80% by 2050 is unlikely to be enough to avoid a catastrophic change in our climate. Declaring such a Climate Emergency makes it a requirement to take immediate action to drastically reduce carbon emissions.
- 7 The Council's climate change ambitions were further refined (agreed at meeting 8 July 2021) and, with shared ambitions for Warwick DC and Stratford-on-Avon DC adopted and the recommendations of the People's Inquiry into climate change incorporated into the programme of work (subject to being able to identify appropriate resources). The joint Climate Change Action Programme<sup>6</sup> was agreed in November 2021.
- 8 A key aspect is to develop and implement policies that will deliver improved net zero carbon building standards. The Warwick Net Zero Carbon DPD provides the building standards policies to achieve this and (except where policies within the existing Local Plan are replaced by the DPD), these policies supplement those within the adopted Warwick District Local Plan, 2011 – 2029. The DPD outlines the issues facing the Council with regard to climate change and sustainable methods of construction and occupation in order to guide new development to help facilitate delivery of these commitments.
- 9 The DPD has been prepared in line with recent Government recommendations, for example, from Preparing for Climate Change (2019)<sup>7</sup> and in consideration of the IPCC Special Report on global warming (2018)<sup>8</sup>, and the update to Planning Practice Guidance (2019) that asserts addressing climate change is one of the core land use planning principles that the NPPF expects to underpin plan-making and decision-making. The DPD has been developed iteratively with various technical studies and wide consultation; such evidence is available on the Council's website<sup>9</sup>.
- 10 In accordance with the Council's adopted Statement of Community Involvement (SCI January 2016 & updated April 2020), at each stage of the development of the DPD, formal and public consultation was undertaken to help ensure that stakeholders' views were taken into consideration in the next steps of plan preparation. Issues raised, and responses prepared have been

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<sup>4</sup> [https://www.warwickdc.gov.uk/info/20410/new\\_local\\_plan](https://www.warwickdc.gov.uk/info/20410/new_local_plan)

<sup>5</sup> [https://www.warwickdc.gov.uk/info/20468/climate\\_change/1437/climate\\_emergency\\_declaration](https://www.warwickdc.gov.uk/info/20468/climate_change/1437/climate_emergency_declaration)

<sup>6</sup> [https://www.warwickdc.gov.uk/info/20468/climate\\_change/1718/climate\\_emergency\\_action\\_programme](https://www.warwickdc.gov.uk/info/20468/climate_change/1718/climate_emergency_action_programme)

<sup>7</sup> <https://www.theccc.org.uk/>

<sup>8</sup> <https://www.ipcc.ch/sr15/chapter/spm/>

<sup>9</sup>

[https://www.warwickdc.gov.uk/info/20799/development\\_plan\\_documents/1713/net\\_zero\\_carbon\\_development\\_plan\\_document](https://www.warwickdc.gov.uk/info/20799/development_plan_documents/1713/net_zero_carbon_development_plan_document)

documented during the development of the DPD and published on the Council's website<sup>10</sup>.

- 11 The draft Warwick Net Zero Carbon DPD was submitted to the Secretary of State on 17 October 2022 for independent examination by a Planning Inspector. The examination hearings were held between 7 and 9 March 2023<sup>11</sup>. The Inspector in his post hearing letter of 30 March 2023 [EXAM-12] advised that main modifications (MMs) to the submission DPD would be required to be made for reasons of soundness before the DPD could be adopted. Following additional work, the proposed MMs to the NZC DPD were published for public consultation between 5 June and 18 July 2023, including where necessary Sustainability Appraisal and Habitats Regulations Assessment.
- 12 The Inspector in his final report (9 April 2024) found that the the SA has been undertaken in a proportionate and equitable way. It has considered reasonable alternatives appropriately, setting out why alternatives have been rejected and has followed the relevant Regulations and is therefore adequate. As a result, he was satisfied that the approach to the SA is robust and that the necessary procedural and legal requirements have been met. The Inspector concluded that, with the recommended main modifications, the Warwick Net Zero Carbon DPD satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

### **How environmental & sustainability considerations have been integrated into the DPD; How the Sustainability/Environmental Report has been taken into account**

- 13 During the plan-making process, SA (incorporating SEA) has been carried out as an iterative and ongoing process to inform decision making for the developing DPD. The SA was undertaken in accordance with government guidance<sup>12</sup> which encourages a staged approach that integrates appraisal to consider the effects of the emerging plan on socio-economic as well as environmental factors. Since 2019, independent specialist consultants were appointed to carry out the SA for the Council. They worked closely with the plan-making team in an iterative way such that the findings and recommendations from the SA were integrated into each developing stage of the DPD.
- 14 The SA built upon the previous SA work undertaken during the development of the Local Plan – for consistency and correlation. The SA method was refined to be focused on the Net Zero Carbon DPD with relevant sustainability topics and issues. The opportunity was taken to update the assessments in line

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[https://www.warwickdc.gov.uk/info/20794/supplementary\\_planning\\_documents\\_and\\_other\\_guidance/263/statement\\_of\\_community\\_involvement#:~:text=The%20SCI%20formally%20sets%20out,will%20consult%20on%20planning%20applications.](https://www.warwickdc.gov.uk/info/20794/supplementary_planning_documents_and_other_guidance/263/statement_of_community_involvement#:~:text=The%20SCI%20formally%20sets%20out,will%20consult%20on%20planning%20applications.)

<sup>11</sup> [https://www.warwickdc.gov.uk/info/20799/development\\_plan\\_documents](https://www.warwickdc.gov.uk/info/20799/development_plan_documents)

<sup>12</sup> <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

with the revised NPPF and the updated requirements for HRA. The scope of the SA was subject to formal and public consultation during late 2019.

- 15 The refined SA Framework was used as the basis for assessing the emerging DPD - and as explained in Section 2 of the submitted SA Report (March 2022). 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 Sub-Objectives/Decision-Aiding Questions that seek to resolve the sustainability issues identified and relevant to the DPD and the Warwick District Council area. The assessment used both quantitative and qualitative assessments, including defined thresholds of significance, where possible.
- 16 The SA considered the likely significant effects of the implementation of the DPD on the sustainability objectives for the Warwick District Council area. For each aspect of the DPD, the assessment against the SA Objectives was recorded with a narrative describing any significant effects identified, mitigation of any significant negative effects, and any suggestions for enhancing potential beneficial effects. In line with requirements of the SEA Regulations, the appraisal considered effects including short, medium, and long term, permanent, and temporary, positive, and negative, secondary, cumulative, and synergistic, wherever possible and relevant. Any gaps or difficulties were also reported. The SA was informed by best available information to assess the effects of the policies and of the Net Zero Carbon DPD as a whole.
- 17 SA Objectives were grouped within sustainability themes and a narrative used to report the likely significant effects of the policies and the draft DPD as a whole. The SA found major positive effects for the sustainability themes of housing, communities, health, and wellbeing – and air quality and climate change. By addressing additional factors – zero or low carbon energy sources, offsetting carbon, and existing buildings – the DPD contributes more than just applying the national approach for improving energy efficiency. It also implements such requirements earlier by aiming to achieve net zero carbon as close as possible to 2030 (rather than 2050) indicating wider and more positive effects.
- 18 Thus, the Council is dealing with carbon emissions now - seeking to provide healthy indoor living environments and contribute to reducing the risks to health from extreme weather conditions through addressing climate change effects proactively. Such an approach may also reduce the costs of dealing with climate change later and in the longer term.
- 19 The SA found minor positive effects for SA objectives on the economy, the natural environment, and the historic environment. DPD Policy NZC1 sets the overarching strategy for achieving net zero carbon development with major positive effects indicated by taking a proactive approach now. Such a stricter policy than the national approach has the potential to affect the deliverability and viability of development proposals. This could result in a reduction in the rate of housing delivery – with a concomitant reduction in



positive effects for health and wellbeing. However, the Council has undertaken a high-level viability impact assessment and development viability is unlikely to be threatened by the local requirement.

- 20 The SEA Regulations require consideration of reasonable alternatives. The SA tested 3 scenarios for the DPD – Do Nothing; National Approach to Improving Energy Efficiency; DPD with policies on Energy Efficiency, Energy Sources, Offsetting Carbon, Embodied Carbon, and Existing Buildings. The testing included comparative assessment and the findings are reported in section 4 of the submitted SA Report (March 2022).
- 21 Doing nothing means that the developments would still be assessed under the adopted Local Plan policies that will require retrofitting as the adopted policies are not as stringent as the DPD policies. The LP is undergoing a review as a part of the joint South Warwickshire Local Plan.
- 22 The SA found potential minor negative effects for sustainability themes Economy, Housing & Health, Air Quality and Climate Change, Natural Environment, and Historic Environment – but with uncertainties as to the extent of the significance of such effects. Doing nothing does not progress the objectives of the climate change emergency declared by the Council and including the commitments to become a net zero carbon organisation by 2025 and to facilitate others so that total carbon emissions within Warwick District are as close to zero as possible by 2030.
- 23 The National Approach Scenario for improving energy efficiency in buildings will have positive effects for housing, communities, health, and wellbeing – but in the longer term since the intentions are to progress to net zero carbon by 2050. The standard for future homes and buildings may not be introduced until 2025. The SA also found positive effects for the themes on Economy, Air Quality and Climate Change, the Natural Environment, and the Historic Environment, but with some uncertainty about the significance of positive effects – due to the debate over net zero/net negative and the longer timescale.
- 24 Thus, relevant alternatives have been tested through the SA process in an iterative way to inform plan-making. The SA reported outline reasons for progressing or rejecting options and in accordance with the requirements of the SEA Regulations.
- 25 The Habitats Regulations Assessment (HRA) found that the Net Zero Carbon DPD is considered unlikely to have significant effects on any European sites, alone or in-combination with other plans and projects. The findings and recommendations of the SA informed plan-making and were integrated into the development of the DPD - and as set out in the Submitted SA Report (March 2022).
- 26 Following submissions to the examination and discussions at the hearings, proposed Main Modifications (MMs) to the NZC DPD were prepared and subject to SA. Most amendments are for updating the existing policies to make reference and show correlation to the existing LP policies and to

provide further clarity and as such are not significant for SA and HRA. These matters were explained and assessed in the SA & HRA Addendum Report (May 2023) accompanying the proposed Main Modifications to the DPD. The MMs were screened and none were identified as potentially significant for SA/SEA nor HRA, and therefore, no further work was necessary. Thus, the previous findings of the SA/SEA remain relevant and valid. It was confirmed that there will be no significant negative effects and that positive effects have been optimised. The previous findings of the HRA remain relevant and valid - the Warwick NZC DPD will not have adverse effects on the integrity of protected sites, alone or in combination.

## How the results of consultation have been taken into account

- 27 Consultation is an important aspect of SA and there was statutory and public consultation at each key stage of the DPD preparation and the SA as follows:

Warwick Net Zero DPD Stage and Documents Consultation	SA/SEA Stage and Documents Consultation
<b>Initial Evidence Gathering &amp; Technical Studies</b>	SA/SEA Scoping & HRA Screening Report (May 2021) Consultation with statutory environmental bodies (Environment Agency, Natural England, Historic England) May – June 2021
<b>Draft NZC DPD Regulation 18</b> Consultation: (26 July – 13 September 2021)	Initial SA/HRA Report (September 2021) Consultation: (26 July – 13 September 2021)
<b>Draft NZC DPD Regulation 19</b> Consultation:	SA/HRA Report (March 2022) Consultation :
Examination Hearings 7-9 March 2023	
<b>NZC DPD Main Modifications</b> Consultation : 5 June – 18 July 2023	SA/HRA Addendum Note (May 2023) Consultation:

- 28 SA and consultation responses have been considered in an iterative and ongoing way with the plan-making process and in accordance with the requirements of the SEA Regulations. Representations have been recorded and the responses made to issues and concerns raised have been published, including at key statutory stages – SA Scoping and Regulation 19.

## Reasons for choosing the DPD as adopted, in the light of other reasonable alternatives

- 29 The SEA Regulations require assessment of the likely significant effects of implementing the plan and "reasonable alternatives" taking into account the objectives and geographical scope of the plan; and the reasons for selecting alternatives should be outlined in the Report. The UK Government's planning practice guidance<sup>13</sup> states that "*reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in its plan. They must be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable*".
- 30 The main reason for progressing the NZC DPD rather than the Do-Nothing or the National Approach to Improving Energy Efficiency is that the strategy set out in the DPD progresses the Council's climate change commitments. The other two scenarios do not progress the Council's commitments for becoming a net zero carbon organisation by 2025 and facilitating the total carbon emissions within Warwick District as close to zero as possible by 2030. There is some evidence to suggest that taking such a proactive approach now will reduce the costs of dealing with climate change later.
- 31 The Do-Nothing scenario will progress towards net zero carbon for 2050 with positive effects but some uncertainties of significance. The National Approach will not implement stricter standards on energy efficiency in buildings until 2025. The NZC DPD addresses additional factors - zero or low carbon energy sources, offsetting carbon, and existing buildings – such that it will contribute more reduction in carbon emissions.

## Measures that are to be taken to monitor the significant sustainability/environmental effects of the implementation of the DPD

- 32 The SEA Regulations require that the significant environmental effects of implementing the plan should be monitored with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action. Local Planning Authorities are required to produce Monitoring Reports on the progress of Local Plans. Government Guidance on SA/SEA advises a pragmatic approach with shared monitoring for the SA/SEA and the Plan.
- 33 The Warwick NZC DPD includes that monitoring the funds and progress made through adoption of the policies will be included in the Authority Monitoring

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<sup>13</sup> <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

Report (AMR)<sup>14</sup> produced annually. It is considered that the indicators in the AMR relate to the SA indicators and they will be sufficient to identify any unforeseen adverse effects at an early stage and provide information on the predicted effects from the SA. Therefore, no additional proposed monitoring that might be required as part of the SEA process was indicated from the findings of the SA.

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<sup>14</sup> [https://www.warwickdc.gov.uk/info/20376/planning\\_policy/270/monitoring\\_reports](https://www.warwickdc.gov.uk/info/20376/planning_policy/270/monitoring_reports)