

Joint Core Strategy for Broadland, Norwich and South Norfolk,

Broadland Part of Norwich Policy Area Examination,

Resumed Hearings, 24-25 July 2013

GNDP Note on the approach taken to the Sustainability Assessment of climate change/greenhouse gases arising from transport

Following the debate on 24 July related to the above, the councils have asked URS to produce the attached note which summarises how carbon emissions from vehicles have been dealt with in the Sustainability Appraisal (SA).

This shows how consideration of these issues have been embedded within the SA process in a manner that is consistent with legislative requirements and best practice.

A further note on legislative requirements and compliance is also attached. However on reflection it is accepted that in table 6.1 of the SA report (SA JCS 3.2) that it would have been preferable if more information had been given to allow the reader to understand how the conclusions subsequently drawn had been reached from the evidence base especially in relation to the environmental objective of ENV1. It is therefore proposed to produce a short addendum to the SA for publication alongside consultation on the main modifications addressing in more detail how the three reasonable alternatives identified differ in their impacts on the environment through transport related greenhouse gas emissions.

In order to avoid unnecessary complexity and possible spurious accuracy the assessment, which will draw on best practice from elsewhere, will explain with reference to key differentiations, (factors such as proximity to employment and services and potential for public transport useage and walking and cycling) how the three reasonable alternatives perform.

Note from URS 25 July 2013

Responding to concerns over the coverage of vehicle carbon emissions within the alternatives SA

Introduction

Consideration of the need to travel / car dependency and associated vehicle carbon emissions was embedded within, indeed central to, both:

- 1) The identification of reasonable alternatives; and
- 2) The appraisal of reasonable alternatives.

The identification of reasonable alternatives

Chapter 4 of the SA Report describes the 'staged' process that was followed with a view to identifying reasonable alternatives.

- Stage one involved considering whether the reasonable alternatives should reflect a 'dispersed' or a 'concentrated' approach to growth. Drawbacks of a dispersed approach in terms of access to key destinations are highlighted and reference is made to **Appendix G** where these drawbacks are elaborated-on. Included within Appendix G is a table that systematically considers the merits of a dispersed approach in terms of the JCS objectives relating to climate change, access to services/facilities and transport/need to travel.¹
- The next stage involved considering the appropriate scale of the 'small sites allowance' that should be reflected in reasonable alternatives. Included within **Appendices H and I** are tables that systematically consider the merits of different 'small sites allowance' approaches in terms of the JCS objectives relating to climate change, access to services/facilities and transport/need to travel.
- The next stage considered 'Identifying potential locations for strategic housing growth'.
 - Step 1 of this stage involved identifying a 'long list' of sectors. Sectors were only long-listed if settlements exist that 'already offer a range of services and employment opportunities that would support strategic growth in that location.'
 - Step 2 involved 'identification of combination sectors', with **Appendix J** setting out detailed reasons why some combinations 'work' whilst others don't. Detailed consideration is given to the potential to ensure good access to key destinations.
- The next stage involved considering the 'scales of strategic growth'. **Appendix K** gives detailed consideration to the potential to ensure good access to key destinations.
- The final stage involved 'assessing the suitability of the sectors for different scales of growth'. Tables 4.2 – 4.4 within Chapter 4 present summary reasons for the decisions made. Numerous references are made to 'proximity to strategic employment areas' and access to services/facilities. Included within **Appendix L** is a table that systematically considers the merits of the different sectors in terms of the JCS objectives relating to climate change, access to services/facilities and transport/need to travel.

¹ It is worth being clear that the analysis undertaken as part of the process of identifying reasonable alternatives was not based upon the sustainability objectives identified through SA scoping. Rather, the JCS objectives were used. This was a reflection of the fact that reasonable alternatives should be identified with reference to the objectives of the plan to which they relate (SEA Directive Article 5(1)). N.B. The compatibility of the JCS objectives with the SA Objectives was itself tested as part of the SA undertaken prior to the first JCS examination.

The outcome of this process was that three reasonable alternatives were identified that all perform relatively well in terms of the need to travel / car dependency and associated vehicle carbon emissions.

The appraisal of reasonable alternatives

Table 6.1 within Chapter 6 of the SA Report presents an appraisal of the three reasonable alternatives under 23 sustainability objective headings. Objectives ENV1 (*To reduce the effect of traffic on the environment*) and ENV6 (*To adapt to and mitigate against the impacts of climate change*) allow ample 'space' for the appraisal of alternatives in terms of vehicle carbon emissions. Box 1 considers the scope of the SA further.

Box 1: The place of vehicle carbon emissions in the SA Scope

Dedicated scoping work was undertaken in 2007. The scope of the SA was also then presented (in an updated form that stayed true to the broad scope agreed through dedicated scoping in 2007) in subsequent SA Report documents (i.e. the 2009 and 2012 SA Reports). At any point stakeholders or the public could have commented on the scope of the SA.

Focusing on the 2007 Scoping Report, Figure 37 (beginning pg. 95 of SDJCS 3.3) lists 'key sustainability issues' and identifies how these fed into the identification of sustainability objectives. The following two key sustainability issues are of note. Numerous key issues are identified under the topic of 'transport', including the following:

"There is an ongoing an urgent need to encourage a modal shift in transport use away from private cars and into public transport, and to replace CO2 emitting modes with less polluting forms of transport."

Figure 37 explains that the transport related key issues fed into both ENV1 and ENV6 (as well as five other objectives).

Focusing on the scope as summarised in Chapter 3 of the 2012 SA Report, there is a need to examine Chapter 3, which answers the question 'What's the Scope of the SA?'

- Section 3.3 discusses the 'sustainability context'. Para 3.3.4 (pg. 11) discusses the sustainability context in relation to climate change, making detailed reference (in a 'box') to guidance from the Committee on Climate Change (May 2012) on 'How local authorities can reduce emissions and manage climate risk'. Para 3.3.9 then discusses the sustainability context in relation to transport emphasising that this is a cross-cutting issue, i.e. one with links to multiple sustainability issues and objectives.
- Section 3.4 discusses the 'sustainability baseline' at the current time. Para 3.4.5 discusses the sustainability baseline in relation to climate change, highlighting that the trend for per capita carbon emissions appears to be downwards in recent years, before then going on to focus on climate change adaptation matters in greater detail. Para 3.4.11 then discusses the sustainability baseline in relation to transport. Building on the sustainability context messages presented above, the baseline data presented serves to highlight that per capita distance travelled and car dependency are problems that need to be addressed through the plan.
- Section 3.5 considers baseline trends into the future.
- Section 3.6 presents the sustainability objectives. This list of objectives has remained unmodified since 2007 on the basis that subsequent updates to the context/baseline/ key issues review have shown that it is broadly fit for purpose.

From an examination of the SA Scoping Report and SA Report it is clear that the SA scope and evidence-base was 'fit for purpose' given the need to undertake a qualitative appraisal of strategic growth alternatives in terms of vehicle carbon emissions.

Regardless of whether the SA scope / evidence-base was appropriate it recognised that concerns can exist regarding whether the appraisal itself gives particular issues sufficient coverage.

A reader interested in the performance of the alternatives in terms of vehicle carbon emissions would naturally look first to the discussion presented under sustainability objective ENV6. The first two sentences of ENV6 state that:

“A key climate change mitigation concern relates to the degree to which the alternative approaches support efforts to reduce car dependency / bring about a modal shift to public transport, less polluting forms of private transport and walking/cycling. As discussed under ENV1, alternative (3) does not support the objective of minimising car dependency.”

Presented under ENV1 is (see conclusion to the indented text) is the following statement:

“An overriding consideration is that under (3) growth allocated to areas (NE and NW sectors) will not be served by high quality BRT, whilst the entirety of development under (1) and (2) will be served by a high quality BRT. (3) therefore performs relatively poorly in relation to this objective.”

So, it can be seen that the appraisal under ENV1 and ENV6, taken together effectively:

- 1)** Explains that Alternative 1 performs better in terms of reducing car dependency (i.e. encouraging public transport and walking/cycling as a mode of travel);
- 2)** Links this matter to climate change mitigation.

Also, the appraisal ‘summary’ and ‘overall conclusion on relative merits’ sections (pg 76 and 77) at the end of Table 6.1 do provide the reader with further information re. the merits of the alternatives in terms of climate change mitigation related objectives. Specifically:

- The summary sought to distinguish between the impacts of the alternatives on 7 key points, with points (1) and (2) relating to ‘moving away from car dependency’.
- The overall conclusion on relative merits section emphasised BRT considerations and linked these clearly to carbon emissions, stating that: *“With respect to transport and its effects, Alternatives (1) and (2) are considered more sustainable since they would be likely to support public transport improvements in the form of high quality BRT in the north eastern part of the urban area with commensurate benefits in terms of air quality, greenhouse gas emissions (responsible for climate change) amenity and health. While the SW sector would be served by a similar level of BRT under alternative (3), the strategic scale growth in the NE and NW would not be served by high quality BRT.*

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- the Legal Framework.

1. The SA of the remitted part JCS (SDJCS 3.2) has been able to draw conclusions regarding its likely effect on greenhouse gas emissions arising from transport, using a qualitative assessment based on the evidence base. This has been queried, and there has been a challenge by Cllr Boswell on the basis that modelling is needed.
2. The JCS is a high level, strategic plan, and climate change and greenhouse gases concerns are embedded in the plan. For instance, JCS Policy 1 itself starts by stating *"To address climate change and promote sustainability, all development will be located and designed to use resources efficiently, minimise greenhouse gas emissions and be adapted to a changing climate and more extreme weather"*. Objective 1 of the JCS is to *"To minimise the contributors to climate change and address its impact"*.
3. Climate change, and greenhouse gases, are not new concerns – they were part of planning policy guidance before the NPPF (i.e. the Planning and Climate Change – Supplement to PPS 1 (17 December 2007)). It was addressed in the SA of the JCS (document JCS 3), and is discussed in the Inspectors' report on the examination (Issue 5, see in particular para 40).
4. Matters have not stood still. The scope of the SA was reviewed (see para 3.2.2, SDJCS 3.2) and the update included considering the Climate Change Act 2008 and the advice from the Committee on Climate Change.
5. The Councils have asked URS to outline in more detail how they have dealt with the issues of greenhouse gases/climate change from transport in making their assessment.- this is covered in a separate note..

The legal compliance issue

6. Any SA must satisfy two sets of tests. The SA is part of the evidence base for the plan, and assists in demonstrating the soundness of the plan. The legal and policy requirements to find a plan 'sound' are set out in the Act, the plan regulations and the NPPF, and are not repeated here. In particular, the NPPF acknowledges that any evidence base should be adequate, up-to-date and relevant (NPPF 158), and assessments should be proportionate (167). The plan should be justified, based on proportionate evidence (182). Any evidence that is to be relied upon must also be robust and credible.

7. The second set of tests for a SA are those set out in the SEA Directive (as implemented in the UK by the Environmental Assessment of Plans and Programmes Regulations 2004) regarding the part of the SA that deals with the Environmental Report. It is not disputed that greenhouse gases arising from transport are likely to have a significant effect on the environment.

8. The relevant part of the Regulations is in reg.12:

Reg 12(3) "The report shall include such of the information referred to in Schedule 2 to these Regulations as may reasonably be required, taking account of—

- (a) current knowledge and methods of assessment;
- (b) the contents and level of detail in the plan or programme;
- (c) the stage of the plan or programme in the decision-making process; and
- (d) the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.

(4) Information referred to in Schedule 2 may be provided by reference to relevant information obtained at other levels of decision-making or through other Community legislation.

(5) When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies."

9. It should be noted that none of the statutory consultees have queried the SA on the way it addresses this issue.

10. In the 2004 Regulations, Schedule 2 sets out what the environmental report should include (this repeats what is in the Annex to the SEA Directive). After a list of substantive issues, para 8 of Sched 2 states that a report should have:

"8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information."

The explanation in the SA (SDJCS 3.2) of the technical difficulties etc

11. The URS report picks up the issue of para 8 in its section 5, quoting the specific requirement from the SEA Directive (i.e. Annex 1(h), which uses the same words as para. 8).

12. Section 5 then deals with the issue in the round, where URS state :

"5.1.3 Every effort has been made to predict effects accurately; however, predicting significant effects is inherently challenging given the high level nature of the alternatives / proposed policy approaches under consideration when preparing strategic plans of this nature.

...

5.1.5 Because of these inherent uncertainties there is a need to exercise caution when identifying significant effects. In light of this, where effects have been predicted this has been done so with an accompanying explanation of the assumptions made.¹⁶ Furthermore, in many instances it has not been possible to predict significant effects, but it has been possible to comment on the relative merits of reasonable alternatives / performance of the preferred approach in more general terms.

5.1.6 It is important to note that the “significant effects” have been predicted taking into account the criteria presented within Annex II of the SEA Directive.¹⁷ So, for example, account has been taken of the probability, duration, frequency and reversibility of effects as far as possible. Cumulative effects have also been considered.¹⁸ These significant effect “characteristics” have been described within the appraisal as appropriate.”

The possible way forward

13. If the descriptions of the way in which greenhouse gas emissions from transport have been compiled and treated in the SA need further elaboration, then this can be done as part of an addendum to SA. This would be a systematic explanation of the evidence base and the conclusions drawn. The current state of best practice concerning methods of assessment can also be checked.

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